

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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2018

CHAPTER _____

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 providing for~~ funding for the Program; specifying the requirements for a
6 local 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; providing
18 for the construction of this Act; defining certain terms; and generally relating to the
19 establishment of the Complete Streets Program.

20 BY adding to

21 Article – Transportation

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 8–901 through 8–908 to be under the new subtitle “Subtitle 9. Complete
2 Streets Program”
3 Annotated Code of Maryland
4 (2015 Replacement Volume and 2017 Supplement)

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

7 **Article – Transportation**

8 **SUBTITLE 9. COMPLETE STREETS PROGRAM.**

9 **8–901.**

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

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

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

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

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

24 (F) “GREEN STORMWATER INFRASTRUCTURE” MEANS INFRASTRUCTURE
25 IMPLEMENTED USING BEST MANAGEMENT PRACTICES THAT REDUCE THE VOLUME
26 OF STORMWATER RUNOFF THROUGH INFILTRATION, EVAPOTRANSPIRATION, THE
27 BENEFICIAL REUSE OF WATER, OR ANY OTHER EFFECTIVE METHOD.

28 (G) “LOCAL GOVERNMENT” MEANS A COUNTY OR MUNICIPALITY IN THE
29 STATE.

30 ~~(G)~~ (H) “PROGRAM” MEANS THE COMPLETE STREETS PROGRAM
31 ESTABLISHED UNDER THIS SUBTITLE.

32 **8–902.**

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

3 **8-903.**

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

6 **(1) THE REGULAR AND ROUTINE INCLUSION OF COMPLETE STREETS**
7 **DESIGN ELEMENTS AND INFRASTRUCTURE DURING THE PLANNING, DESIGN,**
8 **CONSTRUCTION, AND RECONSTRUCTION OF NEW OR EXISTING LOCALLY FUNDED**
9 **ROADS; ~~AND~~**

10 **(2) THE ADOPTION OF URBAN ~~ARTERIAL~~ RETROFIT STREET**
11 **ORDINANCES DESIGNED TO PROVIDE SAFE ACCESS TO USERS OF MULTIPLE MODES**
12 **OF TRANSPORTATION; AND**

13 **(3) THE DEVELOPMENT OF RANKING SYSTEMS FOR COMPLETE**
14 **STREETS PROJECTS THAT CONSIDER THE NEEDS OF UNDERINVESTED AND**
15 **UNDERSERVED COMMUNITIES IN SPECIFIC GEOGRAPHIC REGIONS OF THE STATE.**

16 **(B) THE GOALS OF THE PROGRAM ARE TO:**

17 **(1) PROMOTE HEALTHY COMMUNITIES BY ENCOURAGING THE USE OF**
18 **MULTIPLE MODES OF TRANSPORTATION OTHER THAN SINGLE-OCCUPANCY MOTOR**
19 **VEHICLES;**

20 **(2) IMPROVE SAFETY BY DESIGNING ~~MAJOR-ARTERIAL~~ STREETS TO**
21 **INCLUDE FEATURES SUCH AS:**

22 **(I) WIDER SIDEWALKS;**

23 **(II) DEDICATED BIKE FACILITIES;**

24 **(III) MEDIANS; ~~AND~~**

25 **(IV) PEDESTRIAN STREETScape FEATURES; AND**

26 **(V) GREEN STORMWATER INFRASTRUCTURE;**

27 **(3) PROTECT THE ENVIRONMENT AND ~~REDUCE~~ IMPROVE WATER**
28 **QUALITY BY USING GREEN STORMWATER INFRASTRUCTURE TO REDUCE**
29 **STORMWATER RUNOFF FROM RIGHTS-OF-WAY;**

1 **(4) REDUCE CONGESTION BY PROVIDING SAFE ALTERNATIVES TO**
 2 **SINGLE-OCCUPANCY MOTOR VEHICLE DRIVING; ~~AND~~**

3 **~~(4)~~ (5) PRESERVE COMMUNITY CHARACTER BY INVOLVING LOCAL AND**
 4 **DIVERSE COMMUNITIES ~~RESIDENTS~~ AND STAKEHOLDERS IN PLANNING,**
 5 **PRIORITIZATION, AND DESIGN DECISIONS; AND**

6 **(6) PROVIDE FOR THE EQUITABLE DISTRIBUTION OF COMPLETE**
 7 **STREETS FUNDS THAT TAKES INTO CONSIDERATION THE NEEDS OF**
 8 **UNDERINVESTED AND UNDERSERVED COMMUNITIES IN SPECIFIC GEOGRAPHIC**
 9 **REGIONS OF THE STATE.**

10 **8-904.**

11 ~~**THE GOVERNOR SHALL ANNUALLY APPROPRIATE AT LEAST \$1,000,000 FROM**~~
 12 ~~**THE TRANSPORTATION TRUST FUND FOR THE PROGRAM.**~~

13 **FUNDS FOR THE PROGRAM SHALL BE AS PROVIDED BY THE GOVERNOR IN**
 14 **THE STATE BUDGET.**

15 **8-905.**

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

19 **(B) (1) A COMPLETE STREETS POLICY ADOPTED BY A LOCAL**
 20 **GOVERNMENT SHALL:**

21 **(I) IDENTIFY THE BODY, ENTITY, OR INDIVIDUAL RESPONSIBLE**
 22 **FOR IMPLEMENTING THE PROGRAM;**

23 **(II) REQUIRE THE DEVELOPMENT OF PROCEDURES TO FOLLOW**
 24 **WHEN CONDUCTING ~~COUNTY~~ LOCAL ROAD REPAIRS, UPGRADES, OR EXPANSION**
 25 **PROJECTS TO INCORPORATE COMPLETE STREETS ELEMENTS;**

26 **(III) FACILITATE PROJECTS TO ACHIEVE THE GOALS**
 27 **ESTABLISHED UNDER § 8-903(B) OF THIS SUBTITLE;**

28 **(IV) REQUIRE THE ESTABLISHMENT OF A REVIEW PROCESS FOR**
 29 **PRIVATE DEVELOPMENT PROPOSALS TO ENSURE COMPLETE STREETS**
 30 **COMPONENTS ARE INCORPORATED INTO NEW CONSTRUCTION ACCORDING TO**
 31 **TERMS SPECIFIED BY THE LOCAL GOVERNMENT;**

1 ~~(IV)~~ (V) SET A 5-YEAR GOAL FOR AN INCREASED MODE SHARE
2 OF SPECIFIED MODES OF TRANSPORTATION OTHER THAN SINGLE-OCCUPANCY
3 MOTOR VEHICLES;

4 ~~(V)~~ (VI) REQUIRE THE DEVELOPMENT OF A PROGRAM TO
5 MEET THE GOAL ESTABLISHED UNDER ITEM ~~(IV)~~ (V) OF THIS PARAGRAPH;

6 ~~(VI)~~ (VII) COMPLY WITH ANY OTHER REQUIREMENTS THAT THE
7 DEPARTMENT CONSIDERS NECESSARY; AND

8 ~~(VII)~~ (VIII) BE APPROVED BY THE DEPARTMENT.

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

11 8-906.

12 (A) A CERTIFIED JURISDICTION MAY:

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

14 (2) USE GRANT FUNDS ONLY FOR COSTS ASSOCIATED WITH ~~THE~~:

15 (I) THE IMPLEMENTATION OF THE COMPLETE STREETS
16 POLICY, INCLUDING THE DEVELOPMENT AND UPDATES OF POLICIES, ORDINANCES,
17 PROCEDURES, AND DESIGN MANUALS; AND

18 (II) THE DESIGN AND PLANNING OF ELIGIBLE PROJECTS.

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

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

21 (2) COORDINATE WITH THE DEPARTMENT TO CONFIRM THE
22 ACCURACY OF THE BASELINE INVENTORY OF PEDESTRIAN AND BICYCLE
23 ACCOMMODATIONS TO IDENTIFY PRIORITY PROJECTS;

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

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

28 8-907.

1 **THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.**

2 **8-908.**

3 **(A) ON OR BEFORE DECEMBER 31 EACH YEAR, THE DEPARTMENT SHALL**
4 **SUBMIT A REPORT TO THE SENATE FINANCE COMMITTEE, SENATE BUDGET AND**
5 **TAXATION COMMITTEE, HOUSE APPROPRIATIONS COMMITTEE, AND HOUSE**
6 **ENVIRONMENT AND TRANSPORTATION COMMITTEE, IN ACCORDANCE WITH §**
7 **2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE STATUS OF THE PROGRAM.**

8 **(B) THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION**
9 **SHALL INCLUDE:**

10 **(1) THE STATUS OF ANY GRANT PROJECTS FUNDED BY THE**
11 **PROGRAM; AND**

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

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

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

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

21 (b) A member of the workgroup:

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

23 (2) is entitled to reimbursement for expenses under the Standard State
24 Travel Regulations, as provided in the State budget.

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

26 (1) two members of the Senate of Maryland, appointed by the President of
27 the Senate;

28 (2) two members of the House of Delegates, appointed by the Speaker of
29 the House;

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

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

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

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

5 (i) three individuals from different regional planning or
6 transportation agencies;

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

8 (iii) one individual from the Metropolitan Washington Council of
9 Governments;

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

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

12 (vi) one individual from ~~Bikemore~~ Bike Maryland or another
13 bicycling advocacy organization; and

14 (vii) one individual from the County Engineers Association of
15 Maryland.

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

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

21 (2) In addition to the requirement under paragraph (1) of this subsection,
22 at least 30 days before the submission of the regulations to the Joint Committee on
23 Administrative, Executive, and Legislative Review under § 10–110 of the State
24 Government Article, the Department shall transmit the regulations to the workgroup for
25 review and comment.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be construed
27 to require the Maryland Department of Transportation to provide staff or operating
28 expenses for the administration of the Complete Streets Program established under Section
29 1 of this Act until money is appropriated in the State budget for the Program.

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