

SENATE BILL 116

R2

9lr1486
CF 9lr0840

By: **Senator McCray**

Introduced and read first time: January 16, 2019

Assigned to: Finance and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – Complete Streets – Access to Healthy Food**

3 FOR the purpose of requiring a complete streets policy adopted by certain modal
4 administrations of the Department of Transportation to create access to healthy food
5 for certain individuals living in food deserts; authorizing grants under the Complete
6 Streets Program to be used to encourage certain certified jurisdictions to develop
7 ranking systems for certain projects that prioritize designs that create access to
8 healthy food in food deserts; specifying that a goal of the Program is to create access
9 to healthy food for certain individuals living in food deserts; requiring the Governor,
10 each fiscal year, to appropriate a certain amount from the Transportation Trust
11 Fund for the Program; defining the term “food desert”; altering a certain definition;
12 and generally relating to complete streets policies and the Complete Streets
13 Program.

14 BY repealing and reenacting, with amendments,
15 Article – Transportation
16 Section 2–112, 8–901, and 8–903
17 Annotated Code of Maryland
18 (2015 Replacement Volume and 2018 Supplement)

19 BY repealing
20 Article – Transportation
21 Section 8–904
22 Annotated Code of Maryland
23 (2015 Replacement Volume and 2018 Supplement)

24 BY adding to
25 Article – Transportation
26 Section 8–904
27 Annotated Code of Maryland
28 (2015 Replacement Volume and 2018 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Transportation**

4 2–112.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) (i) “Complete streets design features” means design features that
7 accommodate and facilitate safe and convenient access and mobility to facilities by all
8 users, including bicyclists, motorists, pedestrians, and public transportation users.

9 (ii) “Complete streets design features” includes:

- 10 1. Paved shoulders suitable for use by bicyclists;
- 11 2. Protected bicycle lanes;
- 12 3. Share the road signage;
- 13 4. Crosswalks;
- 14 5. Pedestrian control signals;
- 15 6. Bus access and safety measures;
- 16 7. Sidewalks;
- 17 8. Shared use pathways; [and]
- 18 9. Green stormwater infrastructure; **AND**
- 19 **10. ROUTES THAT CREATE ACCESS TO HEALTHY FOOD IN**
20 **FOOD DESERTS.**

21 (3) “Complete streets policy” means a policy that provides information for
22 the implementation of complete streets design features during the planning, design,
23 construction, and reconstruction of a facility.

24 (4) “Facility” means:

25 (i) An airport facility, as defined in § 5–101 of this article, that is
26 owned or operated by the State;

27 (ii) A State highway, as defined in § 8–101 of this article; and

1 (iii) A transit facility, as defined in § 7–101 of this article.

2 **(5) “FOOD DESERT” MEANS A COMMUNITY THAT DOES NOT HAVE**
3 **EASY ACCESS TO HEALTHY FOOD, INCLUDING FRESH FRUITS AND VEGETABLES,**
4 **TYPICALLY IN THE FORM OF A SUPERMARKET, GROCERY STORE, OR FARMERS’**
5 **MARKET.**

6 ~~[(5)]~~ **(6)** “Green stormwater infrastructure” means infrastructure
7 implemented using best management practices that reduce the volume of stormwater
8 runoff through infiltration, evapotranspiration, the beneficial reuse of water, or any other
9 effective method.

10 (b) This section applies to a facility in:

11 (1) The Maryland Aviation Administration, as required under § 5–408.1 of
12 this article;

13 (2) The Maryland Transit Administration, as required under § 7–310 of
14 this article; and

15 (3) The State Highway Administration, as required under § 8–204.1 of this
16 article.

17 (c) Except as provided in subsection (d) of this section, a complete streets policy
18 adopted in accordance with this section shall:

19 (1) Be implemented with the objective of creating a comprehensive,
20 integrated, and connected transportation network that allows users to choose among
21 different modes of transportation;

22 (2) Ensure that all users are considered during the planning, design,
23 construction, and reconstruction phases of a facility;

24 (3) Benefit all users equitably to the extent feasible while taking into
25 consideration the needs of the most underinvested and underserved communities;

26 (4) When practicable, require the accommodation of other modes of
27 transportation;

28 (5) Recognize that all facilities are different and user needs should be
29 balanced to ensure community enhancement; ~~[and]~~

30 (6) Incorporate best practices related to complete streets design features;

31 **AND**

1 **(7) CREATE ACCESS TO HEALTHY FOOD FOR INDIVIDUALS WITHOUT**
2 **PERSONAL VEHICLES LIVING IN FOOD DESERTS.**

3 (d) Exceptions to the requirements of this section may be adopted when
4 circumstances or laws exist that prohibit or limit the ability to provide favorable conditions
5 for all modes of transportation.

6 8–901.

7 (a) In this subtitle the following words have the meanings indicated.

8 (b) “Certified jurisdiction” means a local government that has been certified by
9 the Department in accordance with § 8–905 of this subtitle.

10 (c) “Complete streets” means streets that provide accommodations for users of
11 multiple modes of transportation.

12 (d) “Complete streets policy” means a law, a bylaw, an ordinance, or an
13 administrative policy adopted by a local government in accordance with § 8–905 of this
14 subtitle.

15 (e) “Eligible project” means a local government or State highway, street, or road
16 retrofit project that includes the addition of or significant repair to facilities that provide
17 access for users of multiple modes of transportation.

18 **(F) “FOOD DESERT” MEANS A COMMUNITY THAT DOES NOT HAVE EASY**
19 **ACCESS TO HEALTHY FOOD, INCLUDING FRESH FRUITS AND VEGETABLES,**
20 **TYPICALLY IN THE FORM OF A SUPERMARKET, GROCERY STORE, OR FARMERS’**
21 **MARKET.**

22 **[(f)] (G)** “Green stormwater infrastructure” means infrastructure implemented
23 using best management practices that reduce the volume of stormwater runoff through
24 infiltration, evapotranspiration, the beneficial reuse of water, or any other effective method.

25 **[(g)] (H)** “Local government” means a county or municipality in the State.

26 **[(h)] (I)** “Program” means the Complete Streets Program established under this
27 subtitle.

28 8–903.

29 (a) The purpose of the Program is to provide matching grants to certified
30 jurisdictions to encourage:

31 (1) The regular and routine inclusion of complete streets design elements
32 and infrastructure during the planning, design, construction, and reconstruction of new or

1 existing locally funded roads;

2 (2) The adoption of urban retrofit street ordinances designed to provide
3 safe access to users of multiple modes of transportation; [and]

4 (3) The development of ranking systems for complete streets projects that
5 consider the needs of underinvested and underserved communities in specific geographic
6 regions of the State; AND

7 **(4) THE DEVELOPMENT OF RANKING SYSTEMS FOR COMPLETE**
8 **STREETS PROJECTS THAT PRIORITIZE DESIGNS TO CREATE ACCESS TO HEALTHY**
9 **FOOD IN FOOD DESERTS.**

10 (b) The goals of the Program are to:

11 (1) Promote healthy communities by encouraging the use of multiple
12 modes of transportation other than single-occupancy motor vehicles;

13 (2) Improve safety by designing streets to include features such as:

14 (i) Wider sidewalks;

15 (ii) Dedicated bike facilities;

16 (iii) Medians;

17 (iv) Pedestrian streetscape features; and

18 (v) Green stormwater infrastructure;

19 (3) Protect the environment and improve water quality by using green
20 stormwater infrastructure to reduce stormwater runoff from rights-of-way;

21 (4) Reduce congestion by providing safe alternatives to single-occupancy
22 motor vehicle driving;

23 (5) Preserve community character by involving local and diverse
24 communities and stakeholders in planning, prioritization, and design decisions; [and]

25 (6) Provide for the equitable distribution of complete streets funds that
26 takes into consideration the needs of underinvested and underserved communities in
27 specific geographic regions of the State; AND

28 **(7) CREATE ACCESS TO HEALTHY FOOD FOR INDIVIDUALS WITHOUT**
29 **PERSONAL VEHICLES LIVING IN FOOD DESERTS.**

1 [8-904.

2 Funds for the Program shall be as provided by the Governor in the State budget.]

3 **8-904.**

4 **FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, THE**
5 **GOVERNOR SHALL APPROPRIATE AT LEAST \$1,000,000 FROM THE**
6 **TRANSPORTATION TRUST FUND FOR THE COMPLETE STREETS PROGRAM.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
8 1, 2019.