

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 131

(Senator Ellis)

Budget and Taxation

**Transportation - Consolidated Transportation Program - Categorization and
Equitable Distribution of Projects**

This bill requires the Maryland Department of Transportation (MDOT) to categorize each major transportation project being considered for inclusion in the draft or final *Consolidated Transportation Program* (CTP) into specified categories. MDOT must rank each project using its project-based scoring system within each such project category and make both the categorizations and rankings available to the public as an appendix to the CTP and on MDOT's website. MDOT must also modify its project-based scoring system by increasing the weighting metric for equitable access to transportation for a project located in a minority, rural, or underserved community by 45%.

Fiscal Summary

State Effect: MDOT can modify the project-based scoring system, implement the bill's categorization and ranking requirements, and make the required information publicly available using existing budgeted resources. The bill does not affect total capital spending by MDOT; however, it may result in different projects being funded, prioritized, and/or included in the CTP, as discussed below. Revenues are not affected.

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

Small Business Effect: None.

Analysis

Bill Summary: MDOT must categorize each major transportation project being considered for inclusion in a draft or final CTP into one of the following project categories:

- highway and road projects;
- transit projects, including light rail, bus, and rail;
- bridge projects; and
- miscellaneous facility or infrastructure projects, including parking garages, facilities, and structures.

Current Law: MDOT was required by Chapter 36 of 2016, as modified by Chapter 30 of 2017, to develop a project-based scoring system using the State transportation goals, and specified measures for each goal, in accordance with federal transportation requirements. Major transportation projects (meaning projects with a total cost exceeding \$5.0 million and that meet other specified requirements) being considered for inclusion in the draft and final CTP must be evaluated using this scoring system. The CTP, which is issued annually to the General Assembly, local elected officials, and interested citizens, provides a description of projects proposed by MDOT for development and evaluation or construction over the next six-year period. The State transportation goals are:

- safety and security;
- system preservation;
- reducing congestion and improving commute times;
- environmental stewardship;
- community vitality;
- economic prosperity;
- equitable access to transportation;
- cost effectiveness and return on investment; and
- local priorities.

MDOT must also (1) develop weighting metrics for each goal and measure; (2) make the scores of all projects evaluated for inclusion in the CTP and assigned a score under the system available to the public, as specified; and (3) rank major transportation projects using the system it develops. The project scores and rankings are located in [Appendix A](#) of the CTP document located on [MDOT's website](#).

State Expenditures: When prioritizing its funds and determining which projects to include in the CTP, MDOT bases its decisions on various factors, including project scores, requests and priorities from local governments, discussions and deliberations with affected and interested parties, and available federal funding. Given this prioritization process,

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while the bill is expected to change the scores for some of the projects in the CTP, it is unclear whether this change alone will result in a different prioritization of funds. *For informational purposes only*, MDOT advises that equitable access to transportation is currently weighted at 7% of the total score for each project, and a 45% increase changes the weight to approximately 10% of the total score.

In any case, the bill does not affect total capital spending by MDOT, and MDOT can modify the scoring system, implement the bill's categorization and ranking requirements, and make the required information publicly available using existing budgeted resources.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Department of Transportation; Maryland Association of Counties; Maryland Municipal League; Baltimore City; Prince George's County; Department of Legislative Services

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