

HB 389: State Highways - Sidewalks and Bicycle Pathways - Maintenance and Repair
House Appropriations Committee
Brendan Wray - FAVORABLE

February 28, 2024

Chair and Committee Members,

This bill is straight-forward. It strikes two lines from State Code's Transportation Article. This bill is necessary because Transportation Article provisions effectively give local jurisdictions – political subdivisions – veto power over state sidewalk and bikeway construction along state roads. One provision, in Transportation Article § 8–629(a)(1), is the condition that the state Administration may construct a sidewalk only “With the concurrence of the local government.” A second provision, part of § 8–630(b)(1)(ii), says Sidewalks shall be constructed unless “the local government indicates that there is no need for sidewalks.”

Because the Transportation Article grants sidewalk veto power to a local government, and because the Article assigns maintenance responsibility and therefore cost to the local government – even though the road is a state road – current Transportation Article provisions are an impediment to sidewalk and bike path construction. These current Transportation Article provisions are contrary to the Maryland's and Maryland cities' and counties' Vision Zero safe-roadways commitments, contrary to the State Highway Administration's Complete Streets policy, and contrary to our goals of providing green transportation and enhancing mobility for Marylanders – walking, rolling, and bicycling.

HB 389 will not impose a new tax or fee on Maryland residents and businesses. It will not disrupt the State Highway Administration's existing maintenance agreements with local governments, nor will it affect the SHA's ability to negotiate similar agreements going forward. HB 389 will advance Maryland toward meeting our Vision Zero commitment by 2030.

My home of Prince George's County experienced 129 road deaths in 2023 – by far the worst in the state – including 39 pedestrian and three bicyclist deaths. Statewide, 155 pedestrians and 15 bicyclists were killed on Maryland roads in 2023. Maryland's state roads, in Prince George's County and throughout the state, are our most dangerous roads, with most traffic lanes and the highest traffic speeds and unsafe pedestrian crossings.

If the General Assembly enacts HB 389 and cross-filed SB 514, we can expect sidewalk and bikeway creation progress. Three Prince George's County examples are the Greenbelt East Trail on MD 193, Washington, Baltimore & Annapolis Trail extension on MD 703, and Rhode Island Avenue Trolley Trail extension along US 1 from Hyattsville to the Washington DC border. As a resident of College Park and a cyclist, I would use all three of these proposed trails for recreation and to reduce car trips. I urge a Favorable HB 389 committee report and General Assembly enactment. Thank you for the opportunity to testify on this legislation.

Brendan Wray
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