



## House Bill 389

### *State Highways - Sidewalks and Bicycle Pathways - Maintenance and Repair*

MACo Position: **SUPPORT**

To: Appropriations and  
Environment & Transportation Committees

Date: February 28, 2024

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** HB 389. The bill removes a requirement that on state-owned and constructed roads, the local government maintain and repair sidewalks where they are located.

HB 389 addresses a longstanding quirk in state law, where the State designs, builds, and maintains its own network of highways across the State, but the local government has the odd duty to maintain sidewalks adjacent to these roads it does not control. Proper care of the roadway should include its full scope, from the surface itself, to underground conduits, to amenities like bicycle lanes and sidewalks. HB 389 brings this responsibility under the entity who built, owns, and maintains the road itself.

Local governments in Maryland already own and maintain roughly 5 of every 6 road miles across the state. Counties maintain the bulk of this infrastructure, whether it be in urban areas found within the greater Baltimore-Washington region, or in the rural sections of Western Maryland and the Eastern Shore. "Great Recession" era cuts to highway user revenues (the share of state transportation revenues sent for local roadway maintenance) have left local transportation infrastructure far underfunded for 15 years. Properly aligning the burdens of repair and maintenance of sidewalks and bicycle pathways constructed along state highways, ultimately provides counties more flexibility and allows for resources to be redirected to services that benefit our mutual constituents.

HB 389 is a commonsense bill that recognizes the imbalance in current road/sidewalk maintenance and properly aligns all roadways into the same posture. Accordingly, MACo urges the Committee to issue a **FAVORABLE** report for HB 389.