
February 22, 2024

The Honorable William C. Smith Jr.
Chair, Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis MD 21401

RE: Letter of Information – Senate Bill 593 – Transportation – Maryland Transportation Authority – Pedestrian and Bicycle Safety and Accessibility

Dear Chair Smith and Committee members:

The Maryland Department of Transportation (MDOT) and the Maryland Transportation Authority (MDTA) offer the following information for the Committee’s consideration on Senate Bill 593.

Senate Bill 593 removes the statutory provisions that prohibit pedestrians and bicycle riders from using MDTA highways, tunnels and bridges. The bill also requires that MDTA construct separated or buffered bicycle ways and pedestrian walkways as part of any construction, repair and maintenance on an MDTA bridge. MDTA may request a waiver of these requirements.

The MDOT and MDTA are working to protect vulnerable road users, including bicyclists and pedestrians, on all of the State’s transportation systems. Requiring MDTA to allow bicyclists and pedestrians on their roadways with vehicles at high speeds, could be unsafe. The MDTA has planners and engineers that work through the appropriate uses for the roadways and a one-size-fits-all approach is almost never appropriate. This is important to note given that the MDTA’s roadways are generally posted with speed limits greater than 50 mph and are expressways. MDTA continues to coordinate its projects with State and local agencies for impacts to their roadways or facilities. MDTA also plans and designs its projects to accommodate State and local, current, or planned improvements, which could include pedestrian access, bicycle lanes, or parking. Finally, MDTA coordinates proactively with transit agencies to plan, design, and construct multimodal options and connections as part of its capital projects.

As drafted, Senate Bill 593 requires MDTA to construct buffered or separated bicycle and pedestrian pathways on or parallel to MDTA facilities under certain circumstances, including when performing repairs or maintenance. This mandate could result in a maximum fiscal impact of more than \$8 billion for design and construction of these bicycle and pedestrian facilities on all MDTA bridges and roadways (bicycle and pedestrian facilities are not included at the two roadway tunnels). The costs do not include additional costs associated with acquiring right-of-way land access, which could also be significant.

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The MDTA is legally required to operate within the parameters established in its master Trust Agreement that provides for the general terms and conditions of future debt issuances. The requirements outlined in Senate Bill 593 could be viewed as an erosion of MDTA's independence which would raise concerns from the rating agencies and bondholders.

The Maryland Department of Transportation and the Maryland Transportation Authority respectfully request the Committee consider this information when deliberating Senate Bill 593.

Respectfully submitted,

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