

# **Testimony in Support of SB 514 - Sidewalk and Path**

Uploaded by: Alonzo Washington

Position: FAV

ALONZO T. WASHINGTON  
*Legislative District 22*  
Prince George's County

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Finance Committee



James Senate Office Building  
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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of SB 514 - Sidewalk and Path Maintenance**

Dear Chair Beidle, Vice Chair Klausmeyer and Members of the Senate Finance Committee,

Today, I am presenting SB514 – Sidewalk and Path Maintenance because whenever you take a walk throughout our beautiful state, or if you pay attention while driving, you will notice that our sidewalks are in disrepair. Tree roots cutting through them, blocks that are clearly worn out, dirt pathways in place of adequate infrastructure, and so much more, the problem becomes more apparent at each glance. The reason for this is an administrative limbo, where the state claims a road but not its sidewalks, and the cities that legally administer them refuse to maintain them due to budget concerns, a lack of will, or a belief that it is the state's duty. The results of this are simple and apparent: a dysfunctional system for pedestrians.

This is without even mentioning the accessibility issues that it creates, as those who are unable to drive due to disability must then face tripping hazard after tripping hazard and face the reality that our state and local jurisdictions are not doing enough for them. Furthermore, those who wish to not drive a car are, in many cases, forced to do so due to the danger that our sidewalks pose.

This bill is the first step to amend that, by creating a clear pathway for maintenance and repair of sidewalks and paths next to our state roads. By transferring the ownership to the state, we can ensure that hundreds of miles of sidewalks central to our communities and the mobilization of people are finally taken care of. This ownership change will give complete responsibility for the road and surrounding areas to the state government and create a clear and more comprehensive direction for maintenance.

Our neighborhoods can also not tolerate this. Nobody wants to live in a place that seems forgotten by their government, as we are actively sending the wrong message to our constituents. Our streets are where our social lives, sense of community, and transportation begin, and we cannot let that be where our support ends. I hope that every Maryland street can be as beautiful as the last, and not allow places that are so important to every single one of us to feel like they have fallen behind.

No longer can this state accept a state of abandonment for any facet of its infrastructure, nor can we allow an administrative dispute to affect the quality of our work this much. Henceforth, I hope

ALONZO T. WASHINGTON  
*Legislative District 22*  
Prince George's County

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Finance Committee



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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

that we can adequately support our disabled residents, our neighborhoods, and the needs of our state by passing this bill.

For this reason, I respectfully request a favorable committee report on SB 514.

# **SB0514WrayTestimony.pdf**

Uploaded by: Brendan Wray

Position: FAV

SB 514: State Highways - Sidewalks and Bicycle Pathways - Maintenance and Repair  
Senate Judicial Proceedings Committee  
Brendan Wray - FAVORABLE

February 22, 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.

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 SB 514 and cross-filed HB 389, 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.

Therefore I ask you to remove this impediment by enacting SB 514. SB 514 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. SB 514 will advance Maryland toward meeting our Vision Zero commitment by 2030. I urge a Favorable SB 514 committee report and General Assembly enactment. Thank you for the opportunity to testify on this legislation.

Brendan Wray  
College Park, MD

**CSG Support for SB 514 sidewalk\_2-21-24.pdf**

Uploaded by: Cheryl Cort

Position: FAV

February 21, 2024

Hon. Senator William C. Smith, Jr., Chair  
Judicial Proceedings Committee  
Miller Senate Office Building  
Annapolis, Maryland 21401

Position: **Support** SB 514 - State Highways – Sidewalks and Bicycle Pathways – Maintenance & Repair

Dear Chair Smith and members of the committee:

Please accept these comments on behalf of the Coalition for Smarter Growth, the leading non-profit organization in the D.C. region, including suburban Maryland, advocating for walkable, bikeable, inclusive, transit-oriented communities as the most sustainable and equitable way for the DC region to grow and provide opportunities for all.

We wish to express our support for SB 514. This bill would remove the requirement that a sidewalk constructed on a state highway right of way be maintained and repaired by the local political subdivision. This requirement has been an impediment to the construction of needed sidewalks. By removing the rigid assignment of maintenance and repairs costs to the local government, a partnership between the state and local authorities can work out how to best maintain the sidewalk along a state road. The responsibility for maintaining and repairing could be assigned differently, depending on the circumstances. This bill provides the flexibility needed for the state and local governments to work out how to provide necessary facilities, and how to maintain them on a case by case basis.

State highways in urban areas have many segments with missing sidewalks, and correspondingly many segments of high injury roadways for vulnerable users. This simple bill allows a more flexible and tailored approach for the safety and needs of road users.

We ask that the committee provide a favorable recommendation. Thank you.

Sincerely,



Cheryl Cort  
Policy Director

# **SB 514 Behrend Support.pdf**

Uploaded by: Dan Behrend

Position: FAV



Maryland Senate  
Judicial Proceedings Committee  
Annapolis, MD 21401

February 21, 2024

Re: **SB 514 – Support**

Dear Chair Smith and Committee Members,

I am a resident of District 22 in Prince George’s County. I volunteer with several organizations working to make Maryland streets safer, including Bike Maryland and Friends of the Greenbelt East Trail. I strongly support **SB 514**. I urge the committee to report **favorable** on the bill.

SB 514 removes an impediment to designing and building safer streets. While the change does not require MDOT SHA to assume maintenance, it removes an administrative obstacle to getting needed sidewalks and bike paths designed and built along MDOT SHA-owned and -maintained roads.

Designing and building sidewalks and bike paths along state roads is consistent with MDOT’s mission and commitment to promote a safe transportation system that supports all types of users, including people walking, biking, and rolling. In recent strategic plans, MDOT has noted the need to update its policies related to bike lanes and sidewalks.

[Maryland’s Climate Pollution Reduction Plan](#) stated that, “MDOT will ramp up investments and policies to accommodate bicyclists and pedestrians routinely and safely on our extensive road network by retrofitting streets with bike lanes, sidewalks, and traffic calming measures.”<sup>i</sup>

Similarly, [MDOT’s The Playbook \(i.e., the 2050 Maryland Transportation Plan\)](#) sets goals to enhance safety, serve communities, and support the economy, by increasing active transportation (*i.e.*, walking and biking), including filling gaps in active transportation networks (*i.e.*, sidewalks and bike paths).<sup>ii</sup>

Finally, MDOT’s [2050 Maryland Bicycle and Pedestrian Master Plan](#) notes that “Complicating the maintenance issue, state law and policies restrict the State of Maryland from providing maintenance assistance . . . . Revisiting and updating the Maryland code to remove the maintenance responsibility from local jurisdictions was encouraged [during stakeholder engagement] to provide a more equitable responsibility of asset management.”<sup>iii</sup> The master plan also noted the need to update another outdated MDOT SHA policy, which SHA has managed to implement without a comparable statutory provision to rely upon – that local jurisdictions must cover the costs for design, construction, and maintenance of green pavement treatments for bicycle facilities on state roads.

Again, SB 514 does not require that MDOT SHA assume maintenance of sidewalks it builds along state-maintained roads. However, it removes an administrative impediment that has resulted in needed safety improvements in our communities experiencing long delays or going unbuilt. Removing the prohibition gives MDOT greater flexibility when updating policies, as recommended in its recent strategic plans, including the option to move forward with the design and/or construction of sidewalks and bike paths needed to fill gaps in the state’s active transportation networks, which can occur concurrent with MDOT’s coordination with local jurisdictions over maintenance.

I strongly **support SB 514** and urge the committee to report **favorable** on the bill.

Thank you,

Dan Behrend  
Riverdale Park, MD  
Prince George’s County

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<sup>i</sup> See page 14. Available at: <https://mde.maryland.gov/programs/air/ClimateChange/Pages/Maryland's-Climate-Pollution-Reduction-Plan.aspx>

<sup>ii</sup> See e.g., pages 35 & 38. Available at: <https://www.mdot.maryland.gov/tso/pages/Index.aspx?PageId=22>

<sup>iii</sup> See page 47. Available at: [https://www.mdot.maryland.gov/OPCP/MDOT\\_State\\_Bike\\_Ped\\_Master\\_Plan\\_FULL\\_FINAL\\_VERSION.pdf](https://www.mdot.maryland.gov/OPCP/MDOT_State_Bike_Ped_Master_Plan_FULL_FINAL_VERSION.pdf)

**SB0514-JPR\_MACo\_SUP.pdf**

Uploaded by: Dominic Butchko

Position: FAV



## Senate Bill 514

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

MACo Position: **SUPPORT**

To: Judicial Proceedings Committee

Date: February 22, 2024

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** SB 514. The bill removes a requirement that on state-owned and constructed roads, the local government maintain and repair sidewalks where they are located.

SB 514 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. SB 514 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.

SB 514 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 SB 514.

# **SB 514 - Sidewalks and Bicycle Pathways Support.pd**

Uploaded by: Erin Dey

Position: FAV



Karen Henry, Director  
2662 Riva Road, Suite 400  
Annapolis, MD 21401  
410-222-7042  
pwhenr00@aacounty.org  
www.dpwandyou.com

February 21, 2024

Maryland General Assembly  
Legislative Services Building  
90 State Circle  
Annapolis, MD 21401

Dear Senator Washington and Members of the Judicial Proceedings Committee,

The Anne Arundel County Department of Public Works writes this letter to support Senate Bill 514 - Sidewalk and Bicycle Pathways - Maintenance and Repair.

As drafted, this legislation would relieve the County of its obligation to maintain and repair sidewalks and bike pathways constructed by any developer of an industrial, commercial, or apartment area along a highway maintained by the State Highway Administration (SHA). The County generally does not participate in the construction of these sidewalks and should not be responsible for the perpetual maintenance of infrastructure in which they did not oversee the construction and installation. Furthermore, total replacement or reconstruction of the sidewalk remains the responsibility of SHA. The SHA would be more informed and better positioned to determine the needs for replacement and reconstruction if they were responsible for the routine repair and maintenance.

This legislation will result in an approximate annual savings of \$37.5k to Anne Arundel County, which may be diverted to the maintenance and upkeep of sidewalks on local roads, particularly those surrounding parks and schools. Anne Arundel County joins the Maryland Association of Counties (MACo) in supporting SB 514.

We appreciate your hard work in the General Assembly and believe it is best that local jurisdictions are responsible to only fund and maintain the infrastructure that is theirs to own and operate in the manner that has proven most effective in their jurisdiction.

Sincerely,

A handwritten signature in black ink that reads "Karen Henry".

Karen Henry  
Director

# **SB514 FAV MSchweisguth.pdf**

Uploaded by: Melissa Schweisguth

Position: FAV

Re: FAVORABLE position on SB 514: State Highways - Sidewalks and Bicycle Pathways - Maintenance and Repair

Melissa Schweisfuth  
Hyattsville, MD 20782 (District 22)

February 21, 2024

Dear Chair Smith and Committee Members,

Thank you for your service to our state.

I am writing to ask that you provide a favorable report for SB 514, which would repeal the requirement that a political subdivision maintain and repair sidewalks and bicycle pathways constructed, in accordance with Maryland statutes, along Maryland state highways.

I regularly bike for commuting and errands, live on a state road that is a key connector between residential areas and a trail system heavily used by bike commuters, and regularly drive on state roads that bisect residential, school, commercial, and transit-center areas such as MD 450 and MD 202. I am keenly aware of the lack of sufficient bike and pedestrian facilities along state roads that are highly desirable for cyclists and pedestrians, but also highly deadly due to insufficient bike and pedestrian facilities.

SB514 is very straight-forward, simply striking two provisions from State Code's Transportation Article that require local jurisdictions to maintain and repair sidewalks and bike paths along state roads if the local jurisdiction requested the sidewalk or bike path, or SHA required a developer to build a sidewalk or bike path.

SB514 is necessary because current Transportation Article provisions effectively give local jurisdiction veto power over state sidewalk and bikeway construction along state roads.

- Transportation Article § 8-629(a)(1), states that the state Administration may construct a sidewalk only "With the concurrence of the local government."
- § 8-630(b)(1)(ii), says Sidewalks shall be constructed unless "the local government indicates that there is no need for sidewalks"

By assigning maintenance and repair responsibility to a local government—even though the road is a state road—current Transportation Article provisions motivate local jurisdictions to veto proposed sidewalk and bike paths, and are thus an impediment to sidewalk and bike path construction. As such, the e Transportation Article's local maintenance by default provisions are contrary to Maryland's Vision Zero safe-roadways commitments and the State Highway Administration's Complete Streets policy. Current provisions also create inefficiencies and gaps by carving up maintenance and repair requirements across multiple entities where roads cross jurisdictions, and make it difficult for road users to know whom to contact to address issues.



SB 514 would enable local jurisdictions and SHA to assign responsibility on a case-by-case basis, based on what is most efficient and feasible for all parties involved. It will not impose a new tax or fee on residents and businesses, assign responsibility to SHA by default, disrupt SHA's existing agreements with local governments, or affect SHA's ability to negotiate similar agreements going forward.

In my own county, the local maintenance requirement has been an impediment to the the Greenbelt East Trail on MD 193, the Washington, Baltimore & Annapolis Trail extension on MD 703, and the Rhode Island Avenue Trolley Trail extension along US 1 from Hyattsville to the Washington DC border. These trails and other bike and pedestrian infrastructure are urgently needed along state roads in my county as Prince George's County has the highest rate of traffic fatalities in the state. It had 129 road deaths in 2023, including 39 pedestrian and three bicyclist deaths. Moreover, the need statewide is great as 155 pedestrians and 15 bicyclists were killed on Maryland roads in 2023.

SB 514 is a critical tool in helping Maryland reverse the trend of increasing road deaths and reaching its Vision Zero commitment – eliminating all traffic fatalities and severe injuries on Maryland roadways by 2030.

Please provide a Favorable SB 514 committee report and support passage in the House.

Thank you for considering my comments

Melissa Schweisguth

A handwritten signature in black ink that reads "Melissa A. Schweisguth". The signature is written in a cursive style with a large initial "M".A vertical stamp or mark consisting of several small, illegible characters or symbols arranged vertically.

**2024-SB514-FAV.pdf**

Uploaded by: Nicholas Marks

Position: FAV



SB0514: State Highways - Sidewalks and Bicycle Pathways - Maintenance and  
Repair  
Senate Judicial Proceedings Committee  
Terps For Bike Lanes – FAVORABLE

February 18, 2024

Chair Smith and Committee Members,

I am writing to express Terps For Bike Lanes's strong support for repealing the mandate for a political subdivision to maintain and repair specific sidewalks constructed by developers in industrial, commercial, or apartment areas along state-maintained highways, as well as the obligation to maintain sidewalks and bicycle pathways constructed or reconstructed during urban highway projects or in response to local government requests. Our advocacy efforts encompass several areas, including the establishment of new bike lanes and paths, the enhancement and maintenance of existing bike facilities, and the development of bike infrastructure in areas where it is currently insufficient or absent. To drive these improvements, our organization actively engages with key stakeholders, including students, the University of Maryland Department of Transportation Services (DOTS), Facilities Management (FM), and the City of College Park.

By repealing the mandate for maintaining specific sidewalks, resources can be redirected towards the creation and maintenance of dedicated bike lanes and pathways. This shift aligns with our organization's primary goal of promoting safe and accessible biking infrastructure. Dedicated bike lanes and pathways contribute significantly to the safety of cyclists by providing designated spaces away from vehicular traffic. Reallocating resources towards these facilities will help create safer environments for biking enthusiasts, commuters, and students alike. Investing in bike infrastructure encourages more individuals to choose biking as a mode of transportation, promoting physical activity, reducing carbon emissions, and alleviating traffic congestion. Removing barriers to maintaining specific sidewalks supports this broader goal of promoting active transportation options. Our organization actively collaborates with stakeholders such as students, transportation departments, and local government bodies to advocate for bike-friendly policies

and infrastructure improvements. Repealing the mandate aligns with the shared goals of enhancing bike infrastructure and fosters collaboration among various stakeholders towards achieving these objectives. In areas where bike infrastructure is lacking or inadequate, reallocating resources towards developing bike lanes and pathways addresses critical infrastructure gaps. This is especially crucial in urban areas where the demand for alternative transportation options is high but the infrastructure is lacking.

We urge a Favorable committee report on this legislation and encourage the Senate to pass it on the floor. Thank you for the opportunity to testify.

Sincerely,

Nicholas Marks

President, Terps For Bike Lanes

[terps4bikelanes@gmail.com](mailto:terps4bikelanes@gmail.com)

# **2024-SB514-State Highways-Sidewalks and Bicycle Pa**

Uploaded by: Seth Grimes

Position: FAV



SB 514: State Highways - Sidewalks and Bicycle Pathways - Maintenance and Repair  
Senate Judicial Proceedings Committee  
Washington Area Bicyclist Association – FAVORABLE

February 22, 2024

Chair Smith and Committee Members,

**The Washington Area Bicyclist Association (WABA) and the undersigned organizations support SB 514, repealing the requirement that a political subdivision maintain and repair sidewalks and bicycle pathways constructed, in accordance with Maryland statutes, along Maryland state highways.**

This bill is very straight-forward. It simply strikes two sentences from State Code's Transportation Article, which unnecessarily involves local jurisdictions in what would otherwise be a state data- and policy-driven decision. Current code is an impediment to implementation of state roadway-safety policy. SB 514 will remove the impediment.

What is Maryland policy? The State Highway Administration adopted a Complete Streets policy over a decade ago and recommitted in March 2023 to implementing context guide design elements in all capital projects. The two approaches, Complete Streets and Context Driven, typically call for sidewalk and bike lane creation, consistent with a Safe System approach as promoted by the US Dept. of Transportation. But implementation is complicated by the maintenance issue that SB 514 would address.

State data makes clear the need for change. The General Assembly passed Maryland's Vision Zero law in 2019. Maryland experienced 574 road deaths the next year, in 2020, including 129 pedestrians killed and 15 bicyclists. We experienced 601 road fatalities last year, in 2023, including 155 pedestrians and, again, 15 bicyclists. Maryland is not meeting our state's Vision Zero commitment. We have made no progress.

**SB 514 will remove an impediment to implementation of state roadway-safety policy by creating state-road maintenance flexibility.**

The Maryland Dept. of Transportation's 2050 Maryland Bicycle and Pedestrian Master Plan observes that "Complicating the maintenance issue, state law and policies restrict the State of Maryland from providing maintenance assistance . . . . Revisiting and updating the Maryland code to remove the maintenance responsibility from local jurisdictions was encouraged [during stakeholder engagement] to provide a more equitable responsibility of asset management."

**SB 514 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.**

If the General Assembly enacts SB 514 and cross-filed HB 389, we will 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.

This testimony singles out Prince George's County because 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.

**By enacting SB 514/HB 389, the General Assembly will advance Maryland toward meeting our Vision Zero commitment – Transportation Secretary Paul Wiedefeld last year pledged “unwavering dedication” – to eliminating all traffic fatalities and severe injuries on Maryland roadways by 2030.**

The undersigned organizations urge a Favorable SB 514 committee report and General Assembly enactment.

Thank you for the opportunity to testify on this legislation.

Supported by:

Bicycle Advocates For Annapolis And Anne Arundel County (BikeAAA)

Bike Howard County (Bike HoCo)

Bike Maryland

Coalition for Smarter Growth

East Coast Greenway Alliance

Frederick Bicycle Coalition

Friends of the Greenbelt East Trail

Washington Area Bicyclist Association

Seth Grimes, WABA Maryland organizer

[seth.grimes@waba.org](mailto:seth.grimes@waba.org)

# **SB0514 - SHA - Sidewalk and Bicycle Path Maintenance**

Uploaded by: Patricia Westervelt

Position: UNF



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February 22, 2024

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

***RE: Letter of Opposition – Senate Bill 514 – State Highways – Sidewalks and Bicycle Pathways – Maintenance***

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) respectfully opposes Senate Bill 514 and offers the following information for the Committee’s consideration.

Senate Bill 514 repeals two maintenance requirements in current law: 1) the requirement that a political subdivision maintain, and repair sidewalks constructed by developers of industrial, commercial, or apartment areas along highways maintained by the State Highway Administration (SHA); and 2) the requirement that a political subdivision maintain and repair sidewalks and bicycle pathways constructed or reconstructed as part of the construction or reconstruction of an urban highway or in response to the request of a local government.

Sidewalks, shared use paths, and other pedestrian facilities are important components of Maryland’s transportation network. This bill addresses the important issue of keeping pedestrian and bicycle facilities in certain areas well-maintained; however, it is a significant departure from current practice and, accordingly, has the potential for significant impacts on the State.

The SHA appreciates that the bill as drafted proposes a more collaborative relationship for maintenance and repair responsibilities for the infrastructure covered in §§ 8-629 and 8-630 of the Transportation Article; however, the changes here must be considered with all the requirements placed on SHA under Title 8, Subtitle 6. Notably, the general provisions of Subtitle 6 require SHA to “construct, reconstruct, and repair State highways as necessary”, and to “maintain [State highways] in good condition.” See TR, § 8-601(a) (emphasis added). Without these exceptions or further revisions to this general provision, SHA interprets current law such that the Administration will be ultimately responsible for sidewalk and bicycle pathway infrastructure created under the provisions of §§ 8-629 and 8-630 along State highways, unless the Administration has entered into a pre-existing agreement for maintenance and repair of this infrastructure. Furthermore, we anticipate that entities that are currently responsible for all sidewalk, trail, and pathway maintenance under existing agreements may assume and expect State highway to take on the responsibility. This represents a significant transfer of cost and responsibility to the State at a time when the structure of the Transportation Trust Fund is under review to ensure long-term stability. As SHA is not responsible for sidewalk maintenance today, SHA is not in a position with existing resources and funds to support the requirements of this bill.

The Honorable William C. Smith, Jr.  
Page Two

The SHA does not have existing sidewalk condition information throughout the State to fully evaluate the impacts from the changes proposed in Senate Bill 514. Depending on who performs the work required by this bill, contractors or State employees, Senate Bill 514 would require an increase in the number of roadside crews at SHA district offices. The repair and rehabilitation of a sidewalk could vary in scope and magnitude, with costs that could potentially reach upwards of \$10 million depending on the location.

Additionally, the term “maintenance” is broad and requires further definition. New responsibilities that SHA may be required to take on range from structural maintenance, including the patching, wedging, and minor replacement of sidewalks, to routine maintenance activities such as sweeping and tree, brush, vegetation, snow, and ice removal and treatments. The SHA estimates that there are approximately 832 linear miles of sidewalk statewide (excluding trails and other pathways). The current estimated costs for routine and winter maintenance for this sidewalk mileage is \$24.4 million per year. It is worth noting that the proposed maintenance activities may be ineligible for federal cost sharing, requiring SHA to fully fund these activities with State dollars. As such, SHA would be required to rebase various system enhancements to ensure SHA is able to meet the requirements of this bill, as State dollars required for a federal match will need to be repurposed.

For these reasons, the Maryland Department of Transportation respectfully requests the Committee consider this information and grant Senate Bill 514 an unfavorable report.

Sincerely,

William Pines, P.E.  
Administrator  
Office of the Administrator  
Maryland State Highway Administration  
410-545-0400

Pilar Helm  
Director  
Office of Government Affairs  
Maryland Department of Transportation  
410-865-1090