

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	09/20/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 10/14/2016

2. COMAR Codification

Title Subtitle Chapter Regulation

11 01 18 01, .02

3. Name of Promulgating Authority

Department of Transportation

4. Name of Regulations Coordinator

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5. Name of Person to Call About this Document

Eric R. Backes

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6. Check applicable items:

New Regulations

Amendments to Existing Regulations

 Date when existing text was downloaded from COMAR online: .

Repeal of Existing Regulations

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

: Md. R

(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Christopher Fontaine, Assistant Attorney General, (telephone #410-865-1110) on September 2, 2016. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Heather Murphy

Title

Director

Telephone No.

410-865-1275

Date

August 31, 2016

Title 11
DEPARTMENT OF TRANSPORTATION
Subtitle 01 OFFICE OF THE SECRETARY

11.01.18 Major Transportation Project Scoring and Ranking System

Authority: Transportation Article, §§2-103.1 and 2-103.7, Annotated Code of Maryland

Notice of Proposed Action

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The Secretary of the Maryland Department of Transportation proposes to adopt under a new chapter, COMAR 11.01.18 - Major Transportation Project Scoring and Ranking System, new regulations .01 and .02.

Statement of Purpose

The purpose of this action is to establish in regulation the Major Transportation Project Scoring and Ranking System required by the passage of Chapter 36, Acts of 2016 - Maryland Open Transportation Investment Decision Act of 2016.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Eric R. Backes, Regulations Coordinator, MDOT, 7201 Corporate Center Drive, Hanover, MD 21076, or call 410-865-1158, or email to ebackes@mdot.state.md.us, or fax to 410-865-1113. Comments will be accepted through November 13, 2016. A public hearing has not been scheduled.

Economic Impact Statement Part C

- A. Fiscal Year in which regulations will become effective: FY 2017
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?
Yes
- C. If 'yes', state whether general, special (exact name), or federal funds will be used:
Transportation Trust Fund
- D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:
- E. If these regulations have no economic impact under Part A, indicate reason briefly:
Any economic impact of these regulations in reality stem from the passage of Chapter 36 , Acts of 2016 as the requirements of these regulations are not anything more than were required under that legislation.
- F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.
Any economic impact of these regulations on small business in reality stem from the passage of Chapter 36 , Acts of 2016 as the requirements of these regulations are not anything more than were required under that legislation.
- G. Small Business Worksheet:

Attached Document:

11.01.18

Title 11 DEPARTMENT OF TRANSPORTATION

Subtitle 01 OFFICE OF THE SECRETARY

18 Major Transportation Project Scoring and Ranking System

Authority: Transportation Article, §§2-103.1 and 2-103.7, Annotated Code of Maryland

.01 Definitions

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Major transportation project" has the meaning stated in Transportation Article, § 2-103.7, Annotated Code of Maryland.

(2) "Area served by the project" means the county or counties in which a major transportation project is located.

(3) "Construction phase" means the period of time following the date a major transportation project is advertised for construction until it is completed.

.02 Scoring System

A. A major transportation project that has not moved to the construction phase before January 1, 2017 shall be scored by the Department of Transportation using the below goals and measures as set out in Transportation Article, § 2-103.7(c):

Goals – Measures	Possible Score
<i>(1). Safety & Security</i>	100
<i>(a). Expected Reduction in total fatalities and severe injuries in all modes affected by the project.</i>	67
<i>(b). The extent to which the project implements the Maryland State Highway Administration’s Complete Streets Policies.</i>	33
<i>(2). System Preservation</i>	100
<i>(a). The degree to which the project increases the lifespan of the affected facility.</i>	40
<i>(b). The degree to which the project increases the functionality of the facility</i>	30
<i>(c). The degree to which the project renders the facility more resilient</i>	30
<i>(3). Quality of Service</i>	100
<i>(a). The expected change in cumulative job accessibility with an approximately 60-minute commute for highway projects or transit projects.</i>	50
<i>(b). The degree to which the project has a positive impact on travel time reliability</i>	20
<i>(c). The degree to which the project supports connections between different modes of transportation and promotes multiple transportation choices.</i>	30
<i>(4). Environmental Stewardship</i>	100
<i>(a). The potential of the project to limit or reduce harmful emissions.</i>	30
<i>(b). The degree to which the project avoids impacts on State resources in the project area and adjacent areas.</i>	30
<i>(c). The degree to which the project advances the State environmental goals.</i>	40
<i>(5). Community Vitality</i>	100
<i>(a). The degree to which the project is projected to increase the use of walking, biking and transit.</i>	34
<i>(b). The degree to which the project enhances community assets.</i>	33
<i>(c). The degree to which the project furthers the affected community’s and State’s plan for revitalization.</i>	33
<i>(6). Economic Prosperity</i>	100
<i>(a). The projected increase in the cumulative job accessibility within an approximately 60-minute commute for projects.</i>	40
<i>(b). The extent to which the project is projected to enhance access to critical intermodal locations for the movement of goods and services.</i>	30
<i>(c). The projected increase in furthering non-speculative local and State economic development strategies in existing communities.</i>	30
<i>(7). Equitable Access to Transportation</i>	100
<i>(a). The expected increase in job accessibility for disadvantaged populations within an approximately 60-minute commute for projects.</i>	50
<i>(b). The projected economic development impact on low-income communities.</i>	50
<i>(8). Cost Effectiveness and Return on Investment</i>	100
<i>(a). The estimated travel time savings divided by the project cost.</i>	34
<i>(b). The degree to which the project leverages additional federal, State, local and private sector transportation investment.</i>	33
<i>(c). The degree to which the project will increase transportation alternatives and redundancy.</i>	33

<i>(9). Local Priorities and Planning</i>	<i>100</i>
<i>(a). The degree to which the project supports local government land use plans and goals.</i>	<i>100</i>
<i>(10). Total Possible Project Score</i>	<i>900</i>

B. The project score determined from A. of this regulation for a major transportation project shall be inserted into the following equation to obtain the weighted project score:

$$W = S \times (1 + (P/M))$$

W = Weighted project score

S = The project score determined by adding together the individual measure scores from A. of this regulation

P = The population of the area served by the project as determined by the most recent population estimate done by the Maryland Department of Planning

M = The population of Maryland as determined by the most recent population estimate done by the Maryland Department of Planning

C. The Department of Transportation shall use the weighted project score, as determined by the equation in B. of this regulation, to rank a major transportation project for inclusion in the draft and final Consolidated Transportation Program.