

HB0836/453927/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 836

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “**Mitigation Plans**” and substitute “**Workgroup**”; in line 5, after “Transportation” insert “, in consultation with the Department of the Environment.”; in lines 7 and 8, strike “and a metropolitan planning organization”; strike beginning with “requiring” in line 9 down through “circumstances;” in line 17; in line 18, strike “or a metropolitan planning organization”; in line 19, after “website;” insert “establishing the Workgroup to Study Major Highway Capacity Expansion Projects.”; in the same line, after “capacity” insert “expansion”; and strike in their entirety lines 20 through 24, inclusive.

On page 2, in line 4, strike “2-907” and substitute “2-906”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 10 on page 2 through line 14 on page 3, inclusive.

On page 4, in line 16, strike beginning with “**THE**” in line 16 down through “**EXPANDED**” in line 18 and substitute “**ANY INCREASE IN TRAVEL ARISING FROM IMPROVED TRAVEL CONDITIONS**”; in line 24, strike “**\$10,000,000**” and substitute “**\$50,000,000**”; and in line 26, strike the semicolon and substitute “, **INCLUDING GRADE SEPARATION THAT INCREASES HIGHWAY CAPACITY; OR**”.

On pages 4 and 5, strike beginning with the semicolon in line 29 on page 4 down through “**INTERSECTION**” in line 2 on page 5.

On page 5, after line 2, insert:

“(2) “MAJOR HIGHWAY CAPACITY EXPANSION PROJECT” INCLUDES ANY MAJOR CAPITAL PROJECT THAT IS PART OF A GROUP OF MAJOR CAPITAL PROJECTS:

(I) THAT SATISFY THE REQUIREMENTS OF PARAGRAPH (1)(II) OF THIS SUBSECTION;

(II) THAT ARE CONTIGUOUS WITH ONE ANOTHER; AND

(III) WITH A COMBINED TOTAL COST THAT EXCEEDS \$50,000,000.”;

in line 3, strike “(2)” and substitute “(3)”; in lines 5 and 11, in each instance, strike “PROJECTS” and substitute “A PROJECT”; in line 11, strike “ARE” and substitute “IS”; strike beginning with “IS” in line 14 down through “LENGTH” in line 15 and substitute “DOES NOT INCREASE HIGHWAY CAPACITY”; in line 16, strike “OR”; in line 17, after “LANE” insert “; OR

4. A SIDEWALK”;

and strike beginning with “(I)” in line 18 down through “(K)” in line 22 and substitute “(I)”.

On page 6, in line 6, after the semicolon, insert “OR”; strike beginning with “A” in line 7 down through “(III)” in line 9; in line 9, strike “OR”; in line 12, after “PERFORMED” insert “;

(3) A MAJOR HIGHWAY CAPACITY EXPANSION PROJECT THAT, BEFORE JULY 1, 2024, WAS APPROVED BY THE FEDERAL HIGHWAY

ADMINISTRATION IN ACCORDANCE WITH THE NATIONAL ENVIRONMENTAL
POLICY ACT; OR

(4) A MAJOR HIGHWAY CAPACITY EXPANSION PROJECT THAT WAS
INCLUDED IN THE FINAL FISCAL YEAR 2024 TO FISCAL YEAR 2029
CONSOLIDATED TRANSPORTATION PROGRAM”;

in line 14, after “DEPARTMENT” insert “, IN CONSULTATION WITH THE
DEPARTMENT OF THE ENVIRONMENT,”; in lines 19 and 20, strike “SIXTH YEAR
AFTER THE PROJECT IS COMPLETE” and substitute “PROJECT AREA”; and in line 22,
strike “FOR THE SIXTH YEAR AFTER THE PROJECT IS COMPLETE”.

On page 7, in line 6, strike “(1)”; and strike beginning with “BEFORE” in line 7
down through “APPROVAL” in line 16 and substitute “:

(1) BEFORE THE COMPLETION OF THE FEDERAL REVIEW PROCESS
FOR THE MAJOR HIGHWAY CAPACITY EXPANSION PROJECT CONDUCTED IN
ACCORDANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT; AND

(2) EARLY ENOUGH IN THE PROJECT PLANNING STAGE TO ALLOW
FOR PROJECT ALTERATION”.

On pages 8 through 12, strike beginning with “(C)” in line 1 on page 8 down
through “THE” in line 1 on page 12, and substitute:

“2-905.

THE”.

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On page 12, in line 1, strike “OR A METROPOLITAN PLANNING ORGANIZATION”; in line 3, strike “OR METROPOLITAN PLANNING ORGANIZATION”; in lines 8 and 9, strike “SIXTH YEAR AFTER THE PROJECT IS COMPLETE” and substitute “PROJECT AREA”; in line 11, strike “FOR THE SIXTH YEAR AFTER THE PROJECT IS COMPLETE”; in the same line, after the semicolon insert “AND”; strike beginning with “(III)” in line 13 down through “AND” in line 14; in line 15, strike “INDUCED DEMAND”; in line 16, strike “OR METROPOLITAN PLANNING ORGANIZATION”; in line 19, strike “2-907.” and substitute “2-906.”; after line 21, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup to Study Major Highway Capacity Expansion Projects.

(b) The Workgroup consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Transportation, or the Secretary’s designee;

(4) the State Highway Administrator, or the Administrator’s designee;

(5) the Executive Director of the Maryland Transportation Authority, or the Executive Director’s designee;

(6) the Secretary of the Environment, or the Secretary’s designee;

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(7) one representative of the environmental advocacy community, appointed by the President of the Senate;

(8) one representative of the environmental advocacy community, appointed by the Speaker of the House;

(9) one representative of a transportation industry organization, appointed by the Governor;

(10) one representative of the Baltimore Regional Transportation Board, designated by the Board; and

(11) one representative of the Metropolitan Washington Council of Governments, designated by the Executive Director of the Council.

(c) The Secretary of Transportation shall designate the chair of the Workgroup.

(d) The Department of Transportation shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall study and make recommendations related to impact assessments and mitigation plans for major highway capacity expansion projects, including:

(Over)

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(1) the existing approach for assessing greenhouse gas emissions and vehicle miles traveled for highway projects reviewed in accordance with the National Environmental Policy Act;

(2) a definition for “induced demand” and methods for evaluating induced demand in assessments that measure greenhouse gas emissions and vehicle miles traveled;

(3) the role of metropolitan planning organizations and transportation management associations in supporting assessments that measure greenhouse gas emissions and vehicle miles traveled for transportation projects;

(4) appropriate mitigation strategies and approaches that should be implemented to reduce greenhouse gas emissions and vehicle miles traveled for major highway capacity expansion projects when an impact assessment shows that the project does not meet the emissions requirements under Section 1 of this Act; and

(5) how process and regional considerations should factor into the review process of a project, including the role of nonurban projects and the alignment of project requirements with future project prioritization efforts.

(g) On or before December 1, 2024, the Workgroup shall report its findings and recommendations to the General Assembly in accordance with § 2-1257 of the State Government Article.”;

in line 22, strike “2.” and substitute “3.”; and in line 23, after the period insert “Section 2 of this Act shall remain effective for a period of 1 year and, at the end of June 30, 2025, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.