

SENATE BILL 902

M1, R1, C4

4r1989
CF HB 1129

By: **Senator Lewis Young**

Introduced and read first time: February 2, 2024

Assigned to: Education, Energy, and the Environment and Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 3, 2024

CHAPTER _____

1 AN ACT concerning

2 **Wildlife – Protections and Highway Crossings**

3 FOR the purpose of requiring the Department of Natural Resources, in collaboration with
4 the State Highway Administration, to identify and prioritize certain species whose
5 habitat or movement corridors intersect with State highways and develop tools,
6 technology, and techniques to identify certain State highway infrastructure
7 locations; requiring the Department of Natural Resources to take certain actions
8 regarding a statewide deer population survey on or before certain dates under
9 certain circumstances; requiring the ~~Department of Transportation~~ State Highway
10 Administration, in consultation with the Department of Natural Resources, to
11 update certain design guidance to incorporate certain design concepts on or before a
12 certain date; ~~requiring~~ authorizing the State Highway Administration to consult
13 with the Department of Natural Resources on the design, rehabilitation, or
14 replacement of certain bridges, culverts, and State highways; ~~establishing certain~~
15 ~~requirements for the construction of certain bridges, culverts, and State highways;~~
16 ~~requiring the State Highway Administration to consult with the Department of~~
17 ~~Natural Resources regarding the replacement or renovation of certain bridges and~~
18 ~~culverts;~~ establishing the Wildlife Highway Crossings Fund as a special, nonlapsing
19 fund; requiring interest earnings of the Fund to be credited to the Fund; requiring
20 the Secretary of Natural Resources and the ~~Secretary of Transportation~~ State
21 Highway Administrator to each designate an interagency liaison officer to coordinate
22 certain activities; requiring the State Highway Administration to identify and apply
23 for certain funding; requiring ~~each automobile insurance provider to charge a certain~~
24 ~~fee; requiring the Department of Transportation to develop a process for each~~
25 ~~automobile insurance provider to remit the fee to the Fund~~ the Department of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Natural Resources to develop a website to be used for accepting donations for certain
2 purposes; and generally relating to wildlife protection.

3 BY repealing and reenacting, without amendments,
4 Article – Natural Resources
5 Section 10–2A–01(a), (d), and (l)
6 Annotated Code of Maryland
7 (2023 Replacement Volume and 2023 Supplement)

8 ~~BY repealing and reenacting, with amendments,~~
9 ~~Article – Natural Resources~~
10 ~~Section 10–2A–01(d) and (l)~~
11 ~~Annotated Code of Maryland~~
12 ~~(2023 Replacement Volume and 2023 Supplement)~~

13 BY adding to
14 Article – Natural Resources
15 Section 10–2A–06.2
16 Annotated Code of Maryland
17 (2023 Replacement Volume and 2023 Supplement)

18 BY repealing and reenacting, without amendments,
19 Article – State Finance and Procurement
20 Section 6–226(a)(2)(i)
21 Annotated Code of Maryland
22 (2021 Replacement Volume and 2023 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article – State Finance and Procurement
25 Section 6–226(a)(2)(ii)189. and 190.
26 Annotated Code of Maryland
27 (2021 Replacement Volume and 2023 Supplement)

28 BY adding to
29 Article – State Finance and Procurement
30 Section 6–226(a)(2)(ii)191.
31 Annotated Code of Maryland
32 (2021 Replacement Volume and 2023 Supplement)

33 BY repealing and reenacting, without amendments,
34 Article – Transportation
35 Section 8–101(a), (i), and (q)
36 Annotated Code of Maryland
37 (2020 Replacement Volume and 2023 Supplement)

38 ~~BY adding to~~
39 ~~Article – Transportation~~

1 ~~Section 17-302~~
 2 ~~Annotated Code of Maryland~~
 3 ~~(2020 Replacement Volume and 2023 Supplement)~~

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 5 That the Laws of Maryland read as follows:

6 **Article – Natural Resources**

7 10-2A-01.

8 (a) In this subtitle the following words have the meanings indicated.

9 (d) (1) ~~["Endangered]~~ ~~EXCEPT AS PROVIDED IN § 10-2A-06.2 OF THIS~~
 10 ~~SUBTITLE, "ENDANGERED~~ species" means any species whose continued existence as a
 11 viable component of the State's wildlife or plants is determined to be in jeopardy.

12 (2) "Endangered species" includes any species of wildlife or plant
 13 determined to be an "endangered species" pursuant to the Endangered Species Act.

14 (l) ~~["Threatened]~~ ~~EXCEPT AS PROVIDED IN § 10-2A-06.2 OF THIS SUBTITLE,~~
 15 ~~"THREATENED~~ species" means any species of wildlife or plants which appears likely,
 16 within the foreseeable future, to become endangered including any species of wildlife or
 17 plant determined to be a "threatened species" pursuant to the Endangered Species Act.

18 **10-2A-06.2.**

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 20 INDICATED.

21 (2) "ENDANGERED SPECIES" ~~MEANS A WILDLIFE SPECIES LISTED BY~~
 22 ~~THE DEPARTMENT AS AN ENDANGERED SPECIES~~ HAS THE MEANING STATED IN §
 23 10-2A-01 OF THIS SUBTITLE.

24 (3) "FUND" MEANS THE WILDLIFE HIGHWAY CROSSINGS FUND.

25 (4) "SPECIES OF GREATEST CONSERVATION NEED" MEANS A
 26 WILDLIFE SPECIES IDENTIFIED BY THE DEPARTMENT AS A SPECIES OF GREATEST
 27 CONSERVATION NEED IN THE MARYLAND STATE WILDLIFE ACTION PLAN.

28 (5) "STATE HIGHWAY" HAS THE MEANING STATED IN § 8-101 OF THE
 29 TRANSPORTATION ARTICLE.

1 **(6) “THREATENED SPECIES” ~~MEANS A WILDLIFE SPECIES LISTED BY~~**
 2 **~~THE DEPARTMENT AS A THREATENED SPECIES~~ HAS THE MEANING STATED IN §**
 3 **10-2A-01 OF THIS SUBTITLE.**

4 **(B) THE DEPARTMENT, IN COLLABORATION WITH THE STATE HIGHWAY**
 5 **ADMINISTRATION, SHALL:**

6 **(1) IDENTIFY ~~AND PRIORITIZE~~ THREATENED SPECIES, ~~AND~~**
 7 **ENDANGERED SPECIES, AND SPECIES OF GREATEST CONSERVATION NEED WHOSE**
 8 **HABITAT OR MOVEMENT CORRIDORS INTERSECT WITH STATE HIGHWAYS;**

9 **(2) (I) ON OR BEFORE OCTOBER 1, 2024, DESIGNATE WHICH**
 10 **SPECIES IDENTIFIED IN ITEM (1) OF THIS SUBSECTION ARE PRIORITIES FOR**
 11 **CONNECTING HABITATS OR PREVENTING COLLISIONS BETWEEN VEHICLES AND**
 12 **WILDLIFE; AND**

13 **(II) GIVE SPECIAL CONSIDERATION TO THREATENED SPECIES**
 14 **AND ENDANGERED SPECIES THAT ARE REPTILES AND AMPHIBIANS IN IDENTIFYING**
 15 **AND PRIORITIZING SPECIES UNDER THIS ITEM (1) OF THIS SUBSECTION; AND**

16 **(3) ~~DEVELOP~~ SUBJECT TO THE AVAILABILITY OF FUNDING, DEVELOP**
 17 **ANY MAPS, TOOLS, TECHNOLOGY, AND TECHNIQUES NECESSARY TO IDENTIFY**
 18 **LOCATIONS WHERE NEW OR ALTERED STATE HIGHWAY INFRASTRUCTURE COULD:**

19 **(I) RECONNECT HABITAT OR MOVEMENT CORRIDORS FOR**
 20 **SPECIES ~~IDENTIFIED~~ DESIGNATED UNDER ITEM ~~(1)~~ (2) OF THIS SUBSECTION; AND**

21 **(II) REDUCE COLLISIONS BETWEEN VEHICLES AND WILDLIFE.**

22 **(C) (1) ON OR BEFORE NOVEMBER 1, 2024, THE DEPARTMENT SHALL**
 23 **DEVELOP A METHODOLOGY AND A COST ESTIMATE FOR PERFORMING A STATEWIDE**
 24 **DEER POPULATION SURVEY.**

25 **(2) ~~THE (I)~~ SUBJECT TO THE AVAILABILITY OF FUNDING, THE**
 26 **DEPARTMENT SHALL:**

27 ~~(I)~~ **1. COMPLETE THE STATEWIDE DEER POPULATION**
 28 **SURVEY REQUIRED UNDER THIS SUBSECTION ON OR BEFORE NOVEMBER 1, 2026;**

29 ~~(II)~~ **2. DEVELOP DEER POPULATION HABITAT MAPS BASED**
 30 **ON THE RESULTS OF THE SURVEY;**

31 ~~(III)~~ **3. PROVIDE THE SURVEY DATA AND HABITAT MAPS TO**
 32 **THE STATE HIGHWAY ADMINISTRATION TO ASSIST WITH IDENTIFYING AREAS**

1 WHERE WILDLIFE CROSSINGS OR WILDLIFE-VEHICLE COLLISION MITIGATION
2 PROJECTS WILL REDUCE COLLISIONS BETWEEN VEHICLES AND DEER; AND

3 ~~(IV)~~ 4. SUBJECT TO AVAILABILITY, USE USE FUNDING FROM
4 THE FUND TO COVER THE COSTS OF IMPLEMENTING THIS SUBSECTION.

5 (II) IN DEVELOPING DEER POPULATION HABITAT MAPS UNDER
6 SUBPARAGRAPH (I)1 OF THIS PARAGRAPH, THE DEPARTMENT MAY COMBINE DEER
7 POPULATION SURVEY DATA WITH OTHER AVAILABLE DATA TO MORE PRECISELY
8 IDENTIFY PRIORITY LOCATIONS FOR WILDLIFE CROSSINGS.

9 (III) IF AVAILABLE FUNDING IS INSUFFICIENT TO CONDUCT THE
10 STATEWIDE DEER POPULATION SURVEY REQUIRED UNDER THIS SUBSECTION, THE
11 DEPARTMENT MAY CONDUCT REGIONAL OR HOTSPOT SURVEYS.

12 (D) ON OR BEFORE JUNE 30, 2026, THE DEPARTMENT OF
13 TRANSPORTATION STATE HIGHWAY ADMINISTRATION, IN CONSULTATION WITH
14 THE DEPARTMENT, SHALL UPDATE ANY APPLICABLE DESIGN GUIDANCE,
15 INCLUDING THE TECHNICAL DESIGN STANDARDS IN THE STATE HIGHWAY
16 ADMINISTRATION ACCESS MANUAL, TO INCORPORATE DESIGN CONCEPTS FOR
17 WILDLIFE PASSAGE FEATURES AND RELATED PLAN AND SPECIFICATION
18 STANDARDS DEVELOP DESIGN GUIDELINES FOR BRIDGES, CULVERTS, AND ROADS
19 THAT WILL IMPROVE PASSAGE FOR SPECIES DESIGNATED UNDER SUBSECTION
20 (B)(2) OF THIS SECTION.

21 (E) (1) THE ON COMPLETION OF THE DESIGN GUIDELINES REQUIRED
22 UNDER SUBSECTION (D) OF THIS SECTION, THE STATE HIGHWAY ADMINISTRATION
23 SHALL CONSIDER THE DESIGN GUIDELINES AND MAY CONSULT WITH THE
24 DEPARTMENT ON THE DESIGN OF ALL NEW, REHABILITATION, OR REPLACEMENT OF
25 BRIDGES, CULVERTS, OR STATE HIGHWAYS THAT COULD REASONABLY BE
26 EXPECTED TO CAUSE HABITAT FRAGMENTATION FOR A TERRESTRIAL THREATENED
27 SPECIES, ENDANGERED SPECIES, OR SPECIES OF GREATEST CONSERVATION NEED
28 INTERSECT THE HABITAT OF A SPECIES DESIGNATED UNDER SUBSECTION (B)(2) OF
29 THIS SECTION.

30 (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
31 PARAGRAPH, ANY NEW BRIDGE, CULVERT, OR STATE HIGHWAY CONSTRUCTED
32 ALONG A WATERWAY IN THE STATE THAT CAUSES HABITAT FRAGMENTATION FOR A
33 TERRESTRIAL THREATENED SPECIES, ENDANGERED SPECIES, OR SPECIES OF
34 GREATEST CONSERVATION NEED SHALL INCLUDE A PRESERVED OR RESTORED
35 NATURAL BANK OF SUFFICIENT WIDTH TO ALLOW THE SPECIES TO SAFELY PASS
36 THROUGH OR ALONG THE BRIDGE, CULVERT, OR STATE HIGHWAY.

~~(H) IF A NATURAL BANK IS NOT PRESENT OR FEASIBLE TO PRESERVE OR RESTORE, THE CONSTRUCTION OF A NEW BRIDGE, CULVERT, OR STATE HIGHWAY ALONG A WATERWAY SHALL INCLUDE THE CREATION OF AN ARTIFICIAL BANK OR SHELF OF SUFFICIENT WIDTH TO ALLOW A TERRESTRIAL THREATENED SPECIES, ENDANGERED SPECIES, OR SPECIES OF GREATEST CONSERVATION NEED TO SAFELY PASS THROUGH OR ALONG THE BRIDGE, CULVERT, OR STATE HIGHWAY.~~

~~(H) THE STATE HIGHWAY ADMINISTRATION SHALL DEVELOP ADDITIONAL APPROPRIATE MEASURES AS NECESSARY TO ENCOURAGE A TERRESTRIAL THREATENED SPECIES, ENDANGERED SPECIES, OR SPECIES OF GREATEST CONSERVATION NEED TO SAFELY PASS THROUGH OR ALONG A BRIDGE, CULVERT, OR STATE HIGHWAY.~~

~~(3) (I) WHEN PLANNING FOR THE REPLACEMENT OR RENOVATION OF AN EXISTING BRIDGE OR CULVERT DUE TO DAMAGE OR DETERIORATION, THE STATE HIGHWAY ADMINISTRATION SHALL CONSULT WITH THE DEPARTMENT TO DETERMINE WHETHER MODIFICATIONS TO THE BRIDGE OR CULVERT DESIGN COULD:~~

~~1. CONNECT HABITAT FOR TERRESTRIAL THREATENED SPECIES, ENDANGERED SPECIES, OR SPECIES OF GREATEST CONSERVATION NEED; OR~~

~~2. PROVIDE SAFER WILDLIFE CROSSINGS AND REDUCE COLLISIONS BETWEEN VEHICLES AND WILDLIFE.~~

~~(H) THE STATE HIGHWAY ADMINISTRATION SHALL INCORPORATE INTO THE DESIGN OF A BRIDGE OR CULVERT BEING REPLACED OR RENOVATED DUE TO DAMAGE OR DETERIORATION ANY MODIFICATIONS IDENTIFIED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT DO NOT SIGNIFICANTLY INCREASE THE PROJECT COST OR TIMELINE. NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO REQUIRE THE STATE HIGHWAY ADMINISTRATION TO INCORPORATE INTO THE DESIGN, REHABILITATION, OR REPLACEMENT OF A BRIDGE, CULVERT, OR STATE HIGHWAY ANY DESIGN ELEMENTS RECOMMENDED IN THE DESIGN GUIDELINES REQUIRED UNDER SUBSECTION (D) OF THIS SECTION THAT:~~

~~(I) SIGNIFICANTLY INCREASE THE PROJECT COST OR TIMELINE; OR~~

~~(II) ARE UNREASONABLE, UNFEASIBLE, OR NOT IN ACCORDANCE WITH RELEVANT SAFETY STANDARDS AND ENGINEERING BEST PRACTICES.~~

1 (F) (1) THERE IS A WILDLIFE HIGHWAY CROSSINGS FUND.

2 (2) THE PURPOSE OF THE FUND IS TO PROTECT:

3 (I) ANY TERRESTRIAL OR SEMIAQUATIC THREATENED
4 SPECIES, ENDANGERED SPECIES, OR SPECIES OF GREATEST CONSERVATION NEED
5 WHOSE HABITAT OR MOVEMENT CORRIDORS INTERSECT WITH A STATE HIGHWAY;
6 AND

7 (II) MOTORISTS AND WILDLIFE IN THE STATE BY REDUCING
8 COLLISIONS BETWEEN VEHICLES AND WILDLIFE.

9 (3) THE DEPARTMENT, IN CONSULTATION WITH THE STATE
10 HIGHWAY ADMINISTRATION, SHALL ADMINISTER THE FUND.

11 (4) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
12 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

13 (II) THE STATE TREASURER SHALL HOLD THE FUND
14 SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

15 (5) THE FUND CONSISTS OF:

16 (I) ~~REVENUE DISTRIBUTED TO THE FUND UNDER § 17-302 OF~~
17 ~~THE TRANSPORTATION ARTICLE;~~

18 (II) ~~ANY FEDERAL FUNDING AWARDED TO THE STATE FOR~~
19 ~~WILDLIFE CROSSINGS, HABITAT CONNECTIVITY, OR PREVENTION OF COLLISIONS~~
20 ~~BETWEEN VEHICLES AND WILDLIFE, INCLUDING FUNDING AWARDED TO THE STATE~~
21 ~~UNDER THE FEDERAL INFRASTRUCTURE INVESTMENT AND JOBS ACT;~~

22 (III) ~~MONEY APPROPRIATED IN THE STATE BUDGET TO THE~~
23 ~~FUND;~~

24 (IV) (II) INTEREST EARNINGS OF THE FUND; AND

25 (V) (III) ANY OTHER MONEY FROM ANY OTHER SOURCE
26 ACCEPTED FOR THE BENEFIT OF THE FUND.

27 (6) THE FUND MAY BE USED TO:

28 (I) ADVANCE WILDLIFE CROSSING OR WILDLIFE-VEHICLE
29 COLLISION MITIGATION PROJECTS JOINTLY IDENTIFIED AND PRIORITIZED BY THE
30 DEPARTMENT AND THE STATE HIGHWAY ADMINISTRATION;

1 (II) ASSIST WITH PREPARATIONS NECESSARY FOR THE
2 PROJECTS SPECIFIED UNDER ITEM (I) OF THIS PARAGRAPH, INCLUDING DATA
3 COLLECTION, FEASIBILITY STUDIES, ~~AND~~ PROJECT DESIGN, AND ENGINEERING,
4 WHICH MAY INCLUDE HYDRAULIC ANALYSIS AND SIZING;

5 (III) DEVELOP METHODS AND TOOLS FOR IDENTIFYING
6 LOCATIONS WHERE WILDLIFE CROSSING OR WILDLIFE-VEHICLE COLLISION
7 MITIGATION PROJECTS WOULD:

8 1. REDUCE COLLISIONS BETWEEN VEHICLES AND
9 WILDLIFE; OR

10 2. CONNECT HABITATS OF TERRESTRIAL OR
11 SEMI-AQUATIC THREATENED SPECIES, ENDANGERED SPECIES, OR SPECIES OF
12 GREATEST CONSERVATION NEED;

13 (IV) DEVELOP REGIONAL OR STATEWIDE HABITAT MAPS OF THE
14 SPECIES IDENTIFIED AND PRIORITIZED IN ACCORDANCE WITH SUBSECTION (B) OF
15 THIS SECTION TO IMPROVE HABITAT CONNECTIVITY OR REDUCE COLLISIONS
16 BETWEEN VEHICLES AND WILDLIFE;

17 (V) CONSTRUCT EXCLUSIONARY FENCING;

18 (VI) PROVIDE MATCHING FUNDS FOR FEDERAL GRANTS;

19 (VII) PROVIDE MAINTENANCE FOR COMPLETED PROJECTS;

20 (VIII) MONITOR AND EVALUATE COMPLETED PROJECTS;

21 (IX) PROVIDE EDUCATION AND OUTREACH REGARDING:

22 1. COLLISIONS BETWEEN VEHICLES AND WILDLIFE;

23 2. THREATENED SPECIES, ENDANGERED SPECIES, OR
24 SPECIES OF GREATEST CONSERVATION NEED WHOSE HABITATS ARE DIVIDED BY
25 STATE HIGHWAYS; AND

26 3. ANY OTHER RELATED TOPIC THE DEPARTMENT OR
27 STATE HIGHWAY ADMINISTRATION DETERMINES IS APPROPRIATE;

28 (X) PROVIDE MATCHING GRANTS TO COUNTIES AND
29 MUNICIPALITIES FOR PROJECTS RELATED TO THE PURPOSE OF THE FUND; ~~AND~~

1 (XI) COVER THE COSTS OF RELEVANT ADMINISTRATION AND
2 PERSONNEL EXPENSES, INCLUDING:

3 1. ~~COMPENSATION~~ COMPENSATION FOR THE
4 INTERAGENCY LIAISON OFFICERS REQUIRED UNDER SUBSECTION (G) OF THIS
5 SECTION;

6 2. COST RECOVERY;

7 3. GIS DATA; AND

8 4. ANY OTHER RELATED ADMINISTRATIVE COSTS; AND

9 (XII) COVER THE COSTS OF ASSET MANAGEMENT FOR WILDLIFE
10 CROSSING INFRASTRUCTURE, INCLUDING PLANNING, INVENTORY, CONDITION
11 INFORMATION, AND LIFE CYCLE ANALYSES.

12 (7) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE
13 FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

14 (II) ANY INTEREST EARNINGS OF THE FUND SHALL BE
15 CREDITED TO THE FUND.

16 (8) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN
17 ACCORDANCE WITH THE STATE BUDGET.

18 (9) MONEY EXPENDED FROM THE FUND FOR THE PROTECTIONS
19 SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION IS SUPPLEMENTAL TO AND IS
20 NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE
21 APPROPRIATED FOR THESE PROTECTIONS.

22 (G) THE SECRETARY AND THE ~~SECRETARY OF TRANSPORTATION~~ STATE
23 HIGHWAY ADMINISTRATOR EACH SHALL DESIGNATE AN INTERAGENCY LIAISON
24 OFFICER TO COORDINATE ACTIVITIES RELATED TO THE PURPOSE OF THE FUND.

25 (H) THE STATE HIGHWAY ADMINISTRATION SHALL:

26 (1) IDENTIFY ANY FEDERAL FUNDING PROGRAMS THAT COULD
27 SUPPORT THE PURPOSE OF THE FUND; AND

28 (2) APPLY FOR ANY FUNDING THAT THE STATE HIGHWAY
29 ADMINISTRATION DETERMINES IS APPROPRIATE, REASONABLE, AND FEASIBLE,
30 AND FOR WHICH STATE MATCHING FUNDS ARE AVAILABLE.

1 **(1) THE DEPARTMENT SHALL:**

2 **(1) DEVELOP A WEBSITE TO BE USED FOR ACCEPTING DONATIONS TO**
 3 **THE FUND; AND**

4 **(2) IF FEASIBLE, WORK WITH THE MOTOR VEHICLE**
 5 **ADMINISTRATION TO PROVIDE THE OPTION, APPEARING ON THE VEHICLE**
 6 **REGISTRATION PORTAL, TO DONATE TO THE FUND.**

7 **Article – State Finance and Procurement**

8 6–226.

9 (a) (2) (i) Notwithstanding any other provision of law, and unless
 10 inconsistent with a federal law, grant agreement, or other federal requirement or with the
 11 terms of a gift or settlement agreement, net interest on all State money allocated by the
 12 State Treasurer under this section to special funds or accounts, and otherwise entitled to
 13 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
 14 Fund of the State.

15 (ii) The provisions of subparagraph (i) of this paragraph do not apply
 16 to the following funds:

17 189. the Teacher Retention and Development Fund; [and]

18 190. the Protecting Against Hate Crimes Grant Fund; AND

19 **191. THE WILDLIFE HIGHWAY CROSSINGS FUND.**

20 **Article – Transportation**

21 8–101.

22 (a) In this title the following words have the meanings indicated.

23 (i) “Highway” includes:

24 (1) Rights-of-way, roadway surfaces, roadway subgrades, shoulders,
 25 median dividers, drainage facilities and structures, related stormwater management
 26 facilities and structures, roadway cuts, roadway fills, guardrails, bridges, highway grade
 27 separation structures, railroad grade separations, tunnels, overpasses, underpasses,
 28 interchanges, entrance plazas, approaches, and other structures forming an integral part
 29 of a street, road, or highway, including bicycle and walking paths; and

30 (2) Any other property acquired for the construction, operation, or use of
 31 the highway.

1 (q) "State highway" means any public highway owned by this State.

2 ~~17-302.~~

3 ~~(A) EACH INSURER OR OTHER PROVIDER OF THE SECURITY REQUIRED~~
4 ~~UNDER § 17-103 OF THIS TITLE SHALL ESTABLISH AND COLLECT AN ANNUAL~~
5 ~~WILDLIFE VEHICLE COLLISION MITIGATION FEE FOR EACH VEHICLE IN THE STATE~~
6 ~~FOR WHICH THE INSURER PROVIDES SECURITY.~~

7 ~~(B) THE FEE ESTABLISHED UNDER THIS SECTION IS \$10 PER VEHICLE.~~

8 ~~(C) THE DEPARTMENT SHALL DEVELOP A PROCESS FOR EACH INSURER OR~~
9 ~~OTHER PROVIDER OF THE SECURITY REQUIRED UNDER § 17-103 OF THIS TITLE TO~~
10 ~~REMIT THE FEES COLLECTED UNDER THIS SECTION TO THE WILDLIFE HIGHWAY~~
11 ~~CROSSINGS FUND ESTABLISHED UNDER § 10-2A-06.2 OF THE NATURAL~~
12 ~~RESOURCES ARTICLE.~~

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
14 apply only prospectively and may not be applied or interpreted to have any effect on or
15 application to any project that has an existing National Environmental Policy Act record of
16 decision and for which the design of the project is more than 30% complete before the
17 effective date of this Act.

18 SECTION 3. AND BE IT FURTHER ENACTED, That:

19 (a) The Maryland Insurance Commissioner shall conduct a study to review the
20 effects of wild animal collisions on premium increases for private passenger automobile
21 insurance in the State.

22 (b) The study required under subsection (a) of this section shall consider:

23 (1) the percentage of Maryland policyholders who have comprehensive, or
24 other than collision, coverage on their policies;

25 (2) loss costs incurred with respect to claims resulting from collisions with
26 deer or other wildlife annually;

27 (3) whether and under what circumstances policyholders who submit
28 claims following a collision with deer or other wildlife pay a higher premium due to
29 surcharges or the removal of discounts as a result of such a claim; and

30 (4) how the overall loss costs incurred with respect to collisions with deer
31 and other wildlife are incorporated into private passenger automobile insurance premium
32 rates, including whether the rates applicable to a policyholder may increase as a result of
33 the submission or payment of a claim resulting from such a collision.

1 (c) On or before December 1, 2024, the Maryland Insurance Commissioner shall
2 submit a report with findings and any recommendations from the study required under
3 this section to the Senate Finance Committee and the House Economic Matters Committee,
4 in accordance with § 2-1257 of the State Government Article.

5 SECTION ~~2~~ ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.