
By: **Senators Dyson and Middleton**
Introduced and read first time: February 2, 1998
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 25, 1998

CHAPTER _____

1 AN ACT concerning

2 ~~Mass Transit Administration - Light Rail St. Mary's County - Future~~
3 Extension of Mass Transit Systems

4 FOR the purpose of ~~requiring the Mass Transit Administration to study a long-term~~
5 ~~future light rail extension between certain locations in St. Mary's and Charles~~
6 ~~Counties; requiring the study to include an identification of the property needed~~
7 ~~for the light rail line, an identification of the ownership of the property, an~~
8 ~~estimate of certain costs, an examination of certain alternatives, and a~~
9 ~~determination of the feasibility of using an existing railroad for a portion of the~~
10 ~~future extension; prohibiting the expenditure of funds from the Transportation~~
11 ~~Trust Fund or any other State source for certain purposes until the~~
12 ~~Administration has completed the study under this Act and reported its findings~~
13 ~~to certain committees of the General Assembly for review and comment;~~
14 ~~requiring the Administration to consult certain agencies; defining a certain~~
15 ~~term; requiring the Administration to report to the Governor, Secretary of~~
16 ~~Transportation, and the General Assembly before a certain date; providing for~~
17 ~~the construction of this Act; and generally relating to the study of a future light~~
18 ~~rail extension; requiring the Board of Commissioners of St. Mary's County to~~
19 ~~ensure that a certain right-of-way owned by St. Mary's County is preserved for~~
20 ~~future use by the State for certain purposes; requiring the County~~
21 ~~Commissioners to attempt to acquire certain rights-of-way under certain~~
22 ~~circumstances; prohibiting the County Commissioners from encumbering a~~
23 ~~certain right-of-way under certain circumstances; requiring the County~~
24 ~~Commissioners to attempt to eliminate certain existing encumbrances on a~~
25 ~~certain right-of-way; defining certain terms; and generally relating to future~~
26 ~~extension of mass transit systems.~~

27 ~~BY adding to~~

1 ~~Article—Transportation~~
 2 ~~Section 7-309~~
 3 ~~Annotated Code of Maryland~~
 4 ~~(1993 Replacement Volume and 1997 Supplement)~~

5 BY adding to
 6 Article 25 - County Commissioners
 7 Section 236D
 8 Annotated Code of Maryland
 9 (1996 Replacement Volume and 1997 Supplement)

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

12 ~~Article—Transportation~~

13 ~~7-309.~~

14 (A) ~~IN THIS SECTION, "FUTURE EXTENSION" MEANS A PROPOSED LONG-TERM~~
 15 ~~FUTURE LIGHT RAIL EXTENSION:~~

16 (1) ~~ORIGINATING IN BRANDYWINE IN PRINCE GEORGE'S COUNTY, AT A~~
 17 ~~LOCATION THAT WILL CONNECT WITH THE PROPOSED LIGHT RAIL TRANSIT SYSTEM~~
 18 ~~IN THE MARYLAND ROUTE 5 CORRIDOR, RUNNING FROM THE BRANCH AVENUE~~
 19 ~~METRORAIL STATION TO WHITE PLAINS IN CHARLES COUNTY; AND~~

20 (2) ~~TERMINATING IN LEXINGTON PARK IN ST. MARY'S COUNTY.~~

21 (B) ~~THE ADMINISTRATION SHALL CONDUCT A STUDY:~~

22 (1) ~~IDENTIFYING THE PROPERTY THAT WILL BE NEEDED FOR THE~~
 23 ~~FUTURE EXTENSION AND DETERMINING THE OWNERSHIP OF THE PROPERTY;~~

24 (2) ~~ESTIMATING THE COST FOR THE STATE TO PURCHASE THE~~
 25 ~~NECESSARY RIGHTS-OF-WAY FOR THE FUTURE EXTENSION;~~

26 (3) ~~DETERMINING THE FEASIBILITY OF USING A PORTION OF THE~~
 27 ~~EXISTING CONRAIL BRANCH LINE BETWEEN BRANDYWINE AND THE VICINITY OF~~
 28 ~~HUGHESVILLE FOR A PORTION OF THE FUTURE EXTENSION;~~

29 (4) ~~ESTIMATING THE TOTAL PROJECT COSTS FOR:~~

30 (I) ~~ALL ASPECTS OF DESIGN AND CONSTRUCTION, INCLUDING THE~~
 31 ~~DESIGN AND CONSTRUCTION OF ALL PROPOSED STATIONS AND PARKING AREAS;~~

32 (II) ~~THE COMPLETION OF DRAFT AND FINAL ENVIRONMENTAL~~
 33 ~~IMPACT STATEMENTS;~~

34 (III) ~~PRELIMINARY AND FINAL ENGINEERING; AND~~

1 (IV) ALL NECESSARY LIGHT RAIL VEHICLES AND EQUIPMENT;

2 (5) ESTIMATING THE PROJECTED RIDERSHIP, OPERATING COSTS, AND
3 LEVEL OF FARES NECESSARY TO GENERATE A FAREBOX RECOVERY LEVEL OF 50% OF
4 NET OPERATING EXPENSES FOR THE FUTURE EXTENSION;

5 (6) DETERMINING THE NECESSITY AND ESTIMATING THE COST OF:

6 (I) ANCILLARY CAPITAL IMPROVEMENTS SUCH AS
7 IMPROVEMENTS TO STATE HIGHWAYS OR COUNTY OWNED ROADS; AND

8 (II) BUS SERVICES TO AUGMENT THE SERVICE PROVIDED BY THE
9 FUTURE EXTENSION; AND

10 (7) EXAMINING ALTERNATIVES TO THE FUTURE EXTENSION,
11 INCLUDING ALIGNMENTS COVERING SHORTER DISTANCES.

12 (C) FUNDS MAY NOT BE EXPENDED FROM THE TRANSPORTATION TRUST
13 FUND OR ANY OTHER STATE SOURCE FOR THE FUTURE EXTENSION, INCLUDING
14 ACQUISITION OF RIGHTS OF WAY, THE DEVELOPMENT OF DRAFT OR FINAL
15 ENVIRONMENTAL IMPACT STATEMENTS, PRELIMINARY OR FINAL ENGINEERING, OR
16 CONSTRUCTION, UNTIL THE ADMINISTRATION:

17 (1) HAS COMPLETED THE STUDY REQUIRED UNDER SUBSECTION (B) OF
18 THIS SECTION; AND

19 (2) HAS SUBMITTED A REPORT OF ITS FINDINGS TO THE HOUSE
20 COMMITTEE ON WAYS AND MEANS, THE HOUSE APPROPRIATIONS COMMITTEE, THE
21 SENATE FINANCE COMMITTEE, AND THE SENATE BUDGET AND TAXATION
22 COMMITTEE FOR REVIEW AND COMMENT DURING THE CALENDAR YEAR 2000
23 SESSION OF THE GENERAL ASSEMBLY.

24 (D) THE ADMINISTRATION SHALL CONSULT THE APPROPRIATE AGENCIES IN
25 THE AREA OF THE FUTURE EXTENSION AND ESTABLISH A TECHNICAL ADVISORY
26 COMMITTEE OF REGIONAL AND LOCAL AGENCY STAFFS TO REVIEW AND OVERSEE
27 THE STUDY.

28 SECTION 2. AND BE IT FURTHER ENACTED, That the Mass Transit
29 Administration shall report to the Governor, the Secretary of Transportation, and, in
30 accordance with § 2-1246 of the State Government Article, the General Assembly and
31 the Committees of the General Assembly specified in Section 1 of this Act on or before
32 December 1, 2000 on the results of the study required by this Act.

33 SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be
34 construed as endorsing the proposed light rail extension described in Section 1 of this
35 Act or as authorizing the Mass Transit Administration to take any action with respect
36 to the proposed light rail extension beyond conducting the study required under
37 Section 1 of this Act.

Article 25 - County Commissioners

2 236D.

3 (A) (1) IN THIS SECTION THE FOLLOWING TERMS AND PHRASES HAVE THE
4 MEANINGS INDICATED.

5 (2) "BOARD" MEANS THE BOARD OF COUNTY COMMISSIONERS OF ST.
6 MARY'S COUNTY.

7 (3) "SOUTHERN MARYLAND RAILROAD RIGHT-OF-WAY" MEANS:

8 (I) THE RIGHT-OF-WAY OWNED BY ST. MARY'S COUNTY SINCE
9 JUNE 26, 1970 THAT EXTENDS APPROXIMATELY 28 MILES FROM HUGHESVILLE,
10 MARYLAND TO PATUXENT RIVER, MARYLAND; AND

11 (II) ANY LAND OR RIGHT-OF-WAY ACQUIRED BY ST. MARY'S
12 COUNTY UNDER THIS SECTION.

13 (B) THE BOARD SHALL ENSURE THAT THE SOUTHERN MARYLAND RAILROAD
14 RIGHT-OF-WAY IS PRESERVED FOR FUTURE USE BY THE STATE FOR THE PURPOSE
15 OF EXTENDING A MASS TRANSIT SYSTEM THROUGH THE RIGHT-OF-WAY OR ANY
16 PORTION OF THE RIGHT-OF-WAY.

17 (C) TO THE EXTENT THAT ANY LAND OR RIGHT-OF-WAY OWNED BY A PERSON
18 OTHER THAN ST. MARY'S COUNTY INTERRUPTS OR INTERFERES WITH THE
19 SOUTHERN MARYLAND RAILROAD RIGHT-OF-WAY OR WITH A POTENTIAL
20 CONNECTING ROUTE BETWEEN BRANDYWINE, MARYLAND AND THE SOUTHERN
21 MARYLAND RAILROAD RIGHT-OF-WAY, THE BOARD SHALL MAKE EVERY EFFORT TO
22 ACQUIRE AT A REASONABLE PRICE A RIGHT-OF-WAY TO ELIMINATE THE
23 INTERRUPTION OR INTERFERENCE.

24 (D) (1) THE BOARD MAY NOT ENCUMBER THE SOUTHERN MARYLAND
25 RAILROAD RIGHT-OF-WAY IN ANY WAY THAT INTERFERES WITH THE POTENTIAL
26 FOR THE LAND TO BE USED BY THE STATE WHEN NEEDED.

27 (2) TO THE EXTENT THAT THE SOUTHERN MARYLAND RAILROAD
28 RIGHT-OF-WAY IS ENCUMBERED BEFORE OCTOBER 1, 1998, THE BOARD SHALL MAKE
29 EVERY EFFORT TO ELIMINATE ANY ENCUMBRANCE THAT INTERFERES WITH THE
30 POTENTIAL FOR THE LAND TO BE USED BY THE STATE WHEN NEEDED.

31 SECTION 4. 2. AND BE IT FURTHER ENACTED, That this Act shall take
32 effect October 1, 1998.

