

HOUSE BILL 310

Unofficial Copy
R1

1999 Regular Session
9r0949

By: **Delegates Healey, Howard, Proctor, Hurson, Cadden, Hixson, Heller,
Conroy, Pitkin, Shriver, R. Baker, Bronrott, Patterson, Palumbo,
Franchot, Kopp, Kagan, and Dewberry**

Introduced and read first time: February 4, 1999

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Sidewalk Construction Projects - State's Share of Costs - Repeal of**
3 **Limitation**

4 FOR the purpose of repealing a limitation on the State's share of the costs of certain
5 sidewalk construction and reconstruction projects that may be paid during
6 certain fiscal years from special funds from the Transportation Trust Fund;
7 providing for the effective date of this Act; and generally relating to the State's
8 share of the costs of sidewalk construction projects.

9 BY repealing and reenacting, with amendments,
10 Article - Transportation
11 Section 8-630
12 Annotated Code of Maryland
13 (1993 Replacement Volume and 1998 Supplement)

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

16 **Article - Transportation**

17 8-630.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) "Municipal corporation" has the meaning stated in Article 23A, § 9 of
20 the Code.

21 (3) "Urban highway" means a highway, other than an expressway, that
22 is:

23 (i) 1. Constructed with a curb and gutter and an enclosed type
24 storm drainage system;

1 (i) Provide public notice and opportunities for community
2 involvement prior to the construction of a sidewalk or bicycle pathway project; and

3 (ii) Secure any necessary right-of-way that may be needed beyond
4 the right-of-way already owned by the State.

5 (5) (i) Except as provided in subparagraph (ii) of this paragraph, after
6 sidewalks and bicycle pathways are constructed under this section, they shall be
7 maintained and repaired by the political subdivision in which they are located.

8 (ii) Subject to approval and the availability of funds, the
9 Administration promptly shall reimburse a political subdivision for the preapproved
10 and documented costs incurred in reconstructing a segment of a sidewalk or bicycle
11 pathway that has deteriorated to the extent that repair is not practical or desirable
12 for public safety.

13 [(6) (i) For Fiscal Years 1996 through 2001, the State's share of the cost
14 of sidewalk construction and reconstruction projects under this section may not
15 exceed \$2 million per fiscal year.

16 (ii) For purposes of this paragraph, "State's share" means special
17 funds from the Transportation Trust Fund.]

18 (d) The Administration may not construct any project that will result in the
19 severance or destruction of an existing major route for pedestrian transportation
20 traffic, unless the project provides for construction of a reasonable alternative route
21 or such a route already exists.

22 (e) The Administration shall develop guidelines jointly with local governments
23 to carry out the provisions of this section.

24 (f) The Administration shall maintain and repair all facilities for nighttime
25 illumination that:

26 (1) Are constructed by the Administration for the safe conduct of
27 vehicular traffic; and

28 (2) Exist adjacent to urban highways.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 June 1, 1999.