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By: **Delegates Pitkin, R. Baker, Bobo, Bronrott, Carlson, Clagett, Conroy, D'Amato, Dembrow, Dewberry, Frush, Healey, Hixson, Howard, Hubbard, Kopp, Leopold, Marriott, Menes, Moe, Montague, Patterson, Ports, Proctor, Rosso, Stocksdale, Swain, and Turner**

Introduced and read first time: February 11, 2000

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Bicycle and Pedestrian Access 2001**

3 FOR the purpose of altering certain requirements relating to the State's Consolidated  
4 Transportation Program to require inclusion of certain information concerning  
5 pedestrians; stating certain findings of the General Assembly and declaring  
6 certain policies of the State regarding bicycle and pedestrian access to  
7 transportation facilities; establishing the Office of Bicycle and Pedestrian Access  
8 in the Department of Transportation; providing for the appointment, duties, and  
9 salary of the Director of the Office; establishing the duties and powers of the  
10 Office; requiring the Office to develop a Statewide Bicycle-Pedestrian Master  
11 Plan that meets certain requirements; expanding the duties of the Bicycle  
12 Advisory Committee to include matters relating to pedestrians; altering the  
13 name of the Committee to be the Bicycle and Pedestrian Advisory Committee;  
14 establishing the Bicycle-Pedestrian Program Account in the Transportation  
15 Trust Fund; requiring the Department of Transportation, in each fiscal year, to  
16 use at least a certain percentage of funds in the Transportation Trust Fund for  
17 the construction and maintenance of certain facilities for the use of pedestrians  
18 and bicycle riders; requiring that a certain percentage of the cost of each new  
19 highway construction or reconstruction project be devoted to certain facilities for  
20 the use of pedestrians and bicycle riders; requiring certain surplus funds to be  
21 credited to the Bicycle-Pedestrian Program Account to be used for certain  
22 purposes; defining certain terms; making certain technical and conforming  
23 changes; and generally relating to pedestrian and bicycle access to  
24 transportation facilities in the State.

25 BY renumbering  
26 Article - Transportation  
27 Section 21-1213  
28 Annotated Code of Maryland  
29 (1999 Replacement Volume and 1999 Supplement)  
30 to be

1 Article - Transportation  
2 Section 2-606  
3 Annotated Code of Maryland  
4 (1993 Replacement Volume and 1999 Supplement)

5 BY adding to  
6 Article - Transportation  
7 Section 2-601 through 2-605, inclusive, to be under the new subtitle "Subtitle 6.  
8 Bicycle and Pedestrian Access"  
9 Annotated Code of Maryland  
10 (1993 Replacement Volume and 1999 Supplement)

11 BY repealing and reenacting, with amendments,  
12 Article - Transportation  
13 Section 2-606  
14 Annotated Code of Maryland  
15 (1993 Replacement Volume and 1999 Supplement)  
16 (As enacted by Section 1 of this Act)

17 BY repealing and reenacting, with amendments,  
18 Article - Transportation  
19 Section 2-103.1(c)(2), 3-216(c) and (d), and 8-630  
20 Annotated Code of Maryland  
21 (1993 Replacement Volume and 1999 Supplement)

22 BY repealing and reenacting, without amendments,  
23 Article - Transportation  
24 Section 3-101(k) and (l)  
25 Annotated Code of Maryland  
26 (1993 Replacement Volume and 1999 Supplement)

27 BY repealing and reenacting, without amendments,  
28 Article - Transportation  
29 Section 21-101(a), (k), (l), (l-1), (l-2), and (t)  
30 Annotated Code of Maryland  
31 (1999 Replacement Volume and 1999 Supplement)

32 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
33 MARYLAND, That Section(s) 21-1213 of Article - Transportation of the Annotated  
34 Code of Maryland be renumbered to be Section(s) 2-606.

35 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
36 read as follows:

1

**Article - Transportation**

2 2-103.1.

3 (c) (2) In addition to the items listed in paragraph (1) of this subsection, the  
4 Consolidated Transportation Program shall include:

5 (i) A summary of current efforts and future plans, prepared after  
6 consultation with the OFFICE OF BICYCLE AND PEDESTRIAN ACCESS IN THE  
7 DEPARTMENT AND THE Bicycle AND PEDESTRIAN Advisory [Board] COMMITTEE  
8 established under [§ 21-1213] § 2-606 of this [article] TITLE:

9 1. To develop and promote bicycle AND PEDESTRIAN  
10 transportation; and

11 2. Working together with local jurisdictions, to accommodate  
12 in a safe and effective manner pedestrians and bicycles within a reasonable distance  
13 for walking and bicycling to rail stops, light rail stops, and subway stations;

14 (ii) A listing of all bicycle and pedestrian transportation projects  
15 expected to use State or federal highway funds; and

16 (iii) Reflected under the Office of the Secretary, any  
17 technology-related project to be funded from the account established under § 2-111 of  
18 this article, along with a description and projected cost of each.

19 SUBTITLE 6. BICYCLE AND PEDESTRIAN ACCESS.

20 2-601.

21 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
22 INDICATED.

23 (B) "OFFICE" MEANS THE OFFICE OF BICYCLE AND PEDESTRIAN ACCESS.

24 (C) "TRANSIT FACILITY" HAS THE MEANING STATED IN § 3-101(K) OF THIS  
25 ARTICLE.

26 (D) "TRANSPORTATION FACILITY" HAS THE MEANING STATED IN § 3-101(L) OF  
27 THIS ARTICLE.

28 2-602.

29 THE GENERAL ASSEMBLY FINDS THAT IT IS IN THE PUBLIC INTEREST FOR THE  
30 STATE TO INCLUDE ENHANCED TRANSPORTATION FACILITIES FOR PEDESTRIANS  
31 AND BICYCLE RIDERS AS AN ESSENTIAL COMPONENT OF THE STATE'S  
32 TRANSPORTATION SYSTEM, AND DECLARES THAT IT IS THE POLICY OF THE STATE  
33 THAT:

1 (1) ACCESS TO AND USE OF TRANSPORTATION FACILITIES BY  
2 PEDESTRIANS AND BICYCLE RIDERS SHALL BE CONSIDERED AND BEST  
3 ENGINEERING PRACTICES REGARDING THE NEEDS OF BICYCLE RIDERS AND  
4 PEDESTRIANS SHALL BE EMPLOYED IN ALL PHASES OF TRANSPORTATION  
5 PLANNING, INCLUDING HIGHWAY DESIGN, CONSTRUCTION, RECONSTRUCTION, AND  
6 REPAIR AS WELL AS EXPANSION AND IMPROVEMENT OF OTHER TRANSPORTATION  
7 FACILITIES;

8 (2) THE MODAL ADMINISTRATIONS IN THE DEPARTMENT SHALL  
9 ENSURE THAT THE STATE MAINTAINS AN INTEGRATED TRANSPORTATION SYSTEM  
10 BY WORKING COOPERATIVELY TO REMOVE BARRIERS, INCLUDING RESTRICTIONS ON  
11 BICYCLE ACCESS TO MASS TRANSIT, THAT IMPEDE THE FREE MOVEMENT OF  
12 INDIVIDUALS FROM ONE MODE OF TRANSPORTATION TO ANOTHER; AND

13 (3) AS TO ANY NEW TRANSPORTATION PROJECT OR IMPROVEMENT TO  
14 AN EXISTING TRANSPORTATION FACILITY, THE DEPARTMENT SHALL WORK TO  
15 ENSURE THAT TRANSPORTATION OPTIONS FOR PEDESTRIANS AND BICYCLE RIDERS  
16 WILL BE ENHANCED AND THAT PEDESTRIAN AND BICYCLE ACCESS TO  
17 TRANSPORTATION FACILITIES WILL NOT BE NEGATIVELY IMPACTED BY THE  
18 PROJECT OR IMPROVEMENT.

19 2-603.

20 (A) THERE IS AN OFFICE OF BICYCLE AND PEDESTRIAN ACCESS IN THE  
21 DEPARTMENT.

22 (B) (1) THE HEAD OF THE OFFICE IS THE DIRECTOR, WHO SHALL BE  
23 APPOINTED BY THE SECRETARY WITH THE APPROVAL OF THE GOVERNOR.

24 (2) THE DIRECTOR SHALL BE A PERSON WITH EXPERIENCE IN  
25 TRANSPORTATION PLANNING WITH SPECIALIZED KNOWLEDGE IN MATTERS  
26 RELATING TO BICYCLE AND PEDESTRIAN ACCESS TO TRANSPORTATION FACILITIES.

27 (C) (1) THE DIRECTOR SERVES AT THE PLEASURE OF THE SECRETARY AND  
28 SHALL REPORT DIRECTLY TO THE SECRETARY.

29 (2) SUBJECT TO THE AUTHORITY OF THE SECRETARY, THE DIRECTOR IS  
30 RESPONSIBLE FOR CARRYING OUT:

31 (I) THE POWERS AND DUTIES VESTED BY LAW IN THE OFFICE; AND

32 (II) THOSE POWERS AND DUTIES VESTED IN THE SECRETARY AND  
33 DELEGATED TO THE DIRECTOR BY THE SECRETARY.

34 (D) THE DIRECTOR IS ENTITLED TO THE SALARY PROVIDED IN THE STATE  
35 BUDGET.

1 2-604.

2 (A) THE OFFICE SHALL DEVELOP AND COORDINATE POLICIES AND PLANS  
3 FOR THE PROVISION, PRESERVATION, IMPROVEMENT, AND EXPANSION OF ACCESS  
4 TO TRANSPORTATION FACILITIES IN THE STATE FOR PEDESTRIANS AND BICYCLE  
5 RIDERS, INCLUDING DEVELOPMENT OF A STATEWIDE BICYCLE-PEDESTRIAN  
6 MASTER PLAN THAT:

7 (1) COMPLIES WITH APPLICABLE FEDERAL FUNDING REQUIREMENTS;

8 (2) PROVIDES A MODEL TO GUIDE POLITICAL SUBDIVISIONS OF THE  
9 STATE IN ENHANCING BICYCLE AND PEDESTRIAN ACCESS TO TRANSPORTATION  
10 FACILITIES;

11 (3) PROPOSES LONG-TERM STRATEGIES FOR IMPROVING THE STATE'S  
12 HIGHWAYS TO ENSURE COMPLIANCE WITH THE MOST ADVANCED SAFETY  
13 STANDARDS FOR PEDESTRIANS AND BICYCLE RIDERS; AND

14 (4) AFTER CONSULTATION WITH POLITICAL SUBDIVISIONS IN THE  
15 STATE, IDENTIFIES BICYCLE-PEDESTRIAN PRIORITY AREAS TO FACILITATE THE  
16 TARGETING OF AVAILABLE FUNDS TO THOSE AREAS OF THE STATE MOST IN NEED.

17 (B) TO CARRY OUT THE PURPOSES OF THIS SUBTITLE, THE OFFICE SHALL:

18 (1) PARTICIPATE IN THE PLANNING OF NEW TRANSPORTATION  
19 FACILITIES AND IMPROVEMENTS TO EXISTING TRANSPORTATION FACILITIES;

20 (2) ADVISE THE SECRETARY ON MATTERS CONCERNING BICYCLE AND  
21 PEDESTRIAN ACCESS AND ANY OTHER MATTER AS REQUESTED BY THE SECRETARY;

22 (3) INITIATE A PROGRAM OF SYSTEMATIC IDENTIFICATION OF AND  
23 PLANNING FOR PROJECTS RELATED TO BICYCLE AND PEDESTRIAN  
24 TRANSPORTATION THAT QUALIFY FOR FUNDS UNDER FEDERAL HIGHWAY  
25 ADMINISTRATION GUIDELINES;

26 (4) MONITOR STATE TRANSPORTATION PLANS, PROPOSALS, FACILITIES,  
27 AND SERVICES TO ENSURE MAXIMUM BENEFITS FOR PEDESTRIANS AND BICYCLE  
28 RIDERS IN THE STATE; AND

29 (5) CONSULT REGULARLY WITH THE BICYCLE AND PEDESTRIAN  
30 ADVISORY COMMITTEE ESTABLISHED UNDER § 2-606 OF THIS SUBTITLE.

31 (C) THE EXERCISE OF THE POWERS AND DUTIES OF THE OFFICE IS SUBJECT  
32 TO THE AUTHORITY OF THE SECRETARY.

33 2-605.

34 (A) SUBJECT TO THE LIMITATIONS IMPOSED BY THIS SUBTITLE, THE OFFICE  
35 MAY EXERCISE ALL POWERS REASONABLY NECESSARY TO THE ACHIEVE THE  
36 PURPOSES OF THIS SUBTITLE, INCLUDING THE AUTHORITY TO:

1 (1) ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS  
2 SUBTITLE;

3 (2) APPLY FOR AND RECEIVE GRANTS, GIFTS, PAYMENTS, LOANS,  
4 ADVANCES, APPROPRIATIONS, PROPERTY, AND SERVICES FROM THE FEDERAL  
5 GOVERNMENT, THE STATE, ANY OF THEIR AGENCIES OR POLITICAL SUBDIVISIONS,  
6 OR ANY OTHER PUBLIC OR PRIVATE PERSON;

7 (3) APPOINT AND REMOVE ALL EMPLOYEES OF THE OFFICE, SUBJECT  
8 TO THE PROCEDURES AND STANDARDS THAT THE SECRETARY ADOPTS; AND

9 (4) ENTER INTO AGREEMENTS AND CONTRACT FOR:

10 (I) ANY STUDIES, PLANS, DEMONSTRATIONS, OR PROJECTS;

11 (II) PLANNING, ENGINEERING, AND TECHNICAL SERVICES; AND

12 (III) ANY PURPOSE NECESSARY FOR OR INCIDENTAL TO THE  
13 PERFORMANCE OF ITS DUTIES AND THE EXERCISE OF ITS POWERS UNDER THIS  
14 SUBTITLE.

15 2-606.

16 (a) The Governor shall appoint a Bicycle AND PEDESTRIAN Advisory  
17 Committee to provide guidance to State agencies concerning:

18 (1) Funding of bicycle AND PEDESTRIAN related programs;

19 (2) Public education and awareness of bicycling AND PEDESTRIAN  
20 RELATED activities;

21 (3) Public education and awareness of bicycling AND PEDESTRIAN safety;  
22 and

23 (4) Any other issue directly related to bicycling AND PEDESTRIANS.

24 (b) The Committee shall consist of the following:

25 (1) 1 representative each from:

26 (i) The Department of Transportation;

27 (ii) The Department of Natural Resources;

28 (iii) The Department of Education;

29 (iv) The Department of State Police;

30 (v) The Department of Business and Economic Development; and

31 (vi) The Department of Health and Mental Hygiene;

1 (2) 1 citizen member from each of the following areas:

2 (i) The Eastern Shore;

3 (ii) Western Maryland; and

4 (iii) Southern Maryland; and

5 (3) 2 citizen members from each of the following areas:

6 (i) The Baltimore metropolitan area; and

7 (ii) The Washington metropolitan area.

8 (c) One of the citizen members selected under subsection (b) of this section  
9 shall have an expertise in bicycle AND PEDESTRIAN safety.

10 (d) The Governor shall select a chairman from among the citizen members.

11 (e) The Committee shall meet at least quarterly with at least 1 meeting held  
12 in Annapolis.

13 (f) The staff for the Committee shall be provided by the Executive Branch as  
14 directed by the Governor.

15 3-101.

16 (k) "Transit facility" includes any one or more or combination of tracks,  
17 rights-of-way, bridges, tunnels, subways, rolling stock, stations, terminals, ports,  
18 parking areas, equipment, fixtures, buildings, structures, other real or personal  
19 property, and services incidental to or useful or designed for use in connection with  
20 the rendering of transit service by any means, including rail, bus, motor vehicle, or  
21 other mode of transportation but does not include any railroad facility.

22 (l) "Transportation facility" includes any one or more or combination of:

23 (1) Airport facilities;

24 (2) Highway facilities;

25 (3) Port facilities;

26 (4) Railroad facilities; and

27 (5) Transit facilities.

28 3-216.

29 (c) (1) There shall be maintained in the Transportation Trust Fund one or  
30 more sinking fund accounts to which shall be credited and from which shall be paid,  
31 from the proceeds of the taxes levied and imposed for that purpose or from any other

1 funds of the Department, amounts sufficient at all times to meet the debt service on  
2 all bonds of prior issues and consolidated transportation bonds from time to time  
3 outstanding and unpaid.

4           (2)       The Gasoline and Motor Vehicle Revenue Account, Driver Education  
5 Account, [and] the Motorcycle Safety Program Account, AND THE  
6 BICYCLE-PEDESTRIAN PROGRAM ACCOUNT shall be maintained in the  
7 Transportation Trust Fund.

8       (d)       (1)       After meeting its debt service requirements, the Department may use  
9 the funds in the Transportation Trust Fund for any lawful purpose related to the  
10 exercise of its rights, powers, duties, and obligations.

11           (2)       Expenditures under this subsection shall be made in accordance with  
12 any appropriation provided for in any applicable budget bill or supplementary  
13 appropriation bill. However, an appropriation proposed to be made to any unit in the  
14 Department or proposed to be made for any designated transportation activity,  
15 function, or undertaking that has been reduced by the General Assembly may not be  
16 restored, for the same purpose as originally proposed, except in an emergency, by the  
17 budget amendment procedure of § 7-209 of the State Finance and Procurement  
18 Article, or otherwise if the General Assembly in striking or reducing the  
19 appropriation, prohibited its restoration. However, except for emergency capital  
20 projects, if the General Assembly explicitly reduces in the budget bill an  
21 appropriation proposed for a major capital project as defined in § 2-103.1(a)(4) of this  
22 article, the appropriation may not be restored for the same purpose as originally  
23 proposed by the budget amendment procedure of § 7-209 of the State Finance and  
24 Procurement Article or otherwise unless the General Assembly, in striking or  
25 reducing the appropriation, expressly authorized its restoration.

26           (3)       (i)       During the period of fiscal years 1988 through 1992 as included  
27 in the annual State report on transportation, the Department shall utilize all of its  
28 share of the revenues attributable to the 5 cent increase of the motor fuel tax under  
29 the provisions of Chapter 291 of the Acts of 1987 and credited to the Transportation  
30 Trust Fund under § 2-1104 of the Tax - General Article and the proceeds of any  
31 increased indebtedness based on that revenue and credited to the Transportation  
32 Trust Fund to fund Department projects for the construction, reconstruction, and  
33 rehabilitation of the State highway system.

34           (ii)       During the period of fiscal year 1988 through fiscal year 1992  
35 the total level of State funds appropriated to the State Highway Administration for  
36 construction, reconstruction and rehabilitation of the State highway system,  
37 including the revenues referred to in subparagraph (i) above, shall be at least 70  
38 percent of the total appropriation of State funds in the consolidated transportation  
39 capital program.

40           (iii)       The Secretary of the Department shall submit, subject to §  
41 2-1246 of the State Government Article, to the Legislative Policy Committee and the  
42 Department of Legislative Services a report:



1 1. Prior to the beginning of each session through the 1991  
2 session, detailing the intended use of the new revenues; and

3 2. Prior to the beginning of each session beginning with the  
4 1989 session and through the 1993 session, detailing the actual use of the new  
5 revenues in the prior fiscal year.

6 (4) Of the new revenues derived under the provisions of Chapter 291 of  
7 the Acts of 1987 and credited to the Department, \$31,000,000 shall be transferred to  
8 the Maryland Emergency Medical Service System Fund at such time as determined  
9 by the Secretary of Budget and Management.

10 (5) FOR EACH FISCAL YEAR, AFTER MEETING ITS DEBT SERVICE  
11 REQUIREMENTS, THE DEPARTMENT SHALL USE AT LEAST 3% OF THE FUNDS IN THE  
12 TRANSPORTATION TRUST FUND TO CONSTRUCT AND MAINTAIN:

13 (I) PUBLIC BICYCLE AREAS AS DEFINED IN § 21-101(K) OF THIS  
14 ARTICLE;

15 (II) BICYCLE WAYS AS DEFINED IN § 21-101(L) OF THIS ARTICLE;  
16 AND

17 (III) SIDEWALKS AS DEFINED IN § 21-101(T) OF THIS ARTICLE.

18 8-630.

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

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

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

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

26 2. Located in an urban area and on which is located a public  
27 facility that creates appreciable pedestrian traffic along the highway from adjacent  
28 areas;

29 3. Located within urban boundaries as defined by the U.S.  
30 Census Bureau; or

31 4. Located within the boundaries of a municipal corporation;  
32 and

33 (ii) Part of the State highway system.

1 (b) (1) Sidewalks shall be constructed at the time of construction or  
2 reconstruction of an urban highway, or in response to the request of a local  
3 government unless:

4 (i) The Administration determines that the cost or impacts of  
5 constructing the sidewalks would be too great in relation to the need for them or their  
6 probable use; or

7 (ii) The local government indicates that there is no need for  
8 sidewalks.

9 (2) Sidewalks constructed under this section shall be consistent with  
10 area master plans and transportation plans adopted by the local planning  
11 commission.

12 (c) (1) If sidewalks or bicycle pathways are constructed or reconstructed as  
13 part of a roadway construction or reconstruction project, the Administration shall  
14 fund the sidewalk or bicycle pathway construction or reconstruction as a part of the  
15 cost of the roadway project.

16 (2) Except as provided in paragraph (3) of this subsection, if sidewalks or  
17 bicycle pathways are constructed or reconstructed in response to a request from a  
18 local government and the adjacent roadway is not being concurrently constructed or  
19 reconstructed, the cost to construct or reconstruct the sidewalk or bicycle pathway  
20 shall be shared equally between the State and local governments.

21 (3) If sidewalks or bicycle pathways within a designated neighborhood as  
22 defined in Article 83B, §§ 4-202 and 4-203 of the Code are constructed or  
23 reconstructed in response to a request from a local government and the adjacent  
24 roadway is not being concurrently constructed or reconstructed, the cost to construct  
25 or reconstruct the sidewalk or bicycle pathway may be funded entirely by the State.

26 (4) If sidewalks or bicycle pathways are being constructed or  
27 reconstructed in response to a request from a local government and the adjacent  
28 roadway is not being concurrently constructed or reconstructed, the local government  
29 shall:

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

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

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

37 (ii) Subject to approval and the availability of funds, the  
38 Administration promptly shall reimburse a political subdivision for the preapproved  
39 and documented costs incurred in reconstructing a segment of a sidewalk or bicycle

1 pathway that has deteriorated to the extent that repair is not practical or desirable  
2 for public safety.

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

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

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

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

13 (2) Exist adjacent to urban highways.

14 (G) (1) FOR EACH NEW HIGHWAY CONSTRUCTION OR RECONSTRUCTION  
15 PROJECT UNDERTAKEN UNDER THIS TITLE, THE ADMINISTRATION SHALL DEVOTE  
16 3% OF THE COST OF THE PROJECT TO FACILITIES FOR PEDESTRIANS AND BICYCLE  
17 RIDERS.

18 (2) IF THE AMOUNT OF FUNDS SPECIFIED UNDER PARAGRAPH (1) OF  
19 THIS SUBSECTION EXCEEDS THE AMOUNT REASONABLY DETERMINED TO BE  
20 NECESSARY BASED ON EMPLOYMENT OF BEST ENGINEERING PRACTICES AND  
21 STANDARDS FOR PEDESTRIAN AND BICYCLE RELATED PURPOSES, THE BALANCE OF  
22 THE FUNDS SHALL BE CREDITED TO THE BICYCLE-PEDESTRIAN PROGRAM ACCOUNT  
23 IN THE TRANSPORTATION TRUST FUND.

24 (3) IN EACH FISCAL YEAR, FUNDS CREDITED TO THE  
25 BICYCLE-PEDESTRIAN PROGRAM ACCOUNT SHALL BE EXPENDED BY THE END OF  
26 THE FISCAL YEAR FOR ONGOING IMPROVEMENTS TO TRANSPORTATION FACILITIES  
27 FOR PEDESTRIANS AND BICYCLE RIDERS IN ACCORDANCE WITH THE STATEWIDE  
28 BICYCLE-PEDESTRIAN MASTER PLAN DEVELOPED UNDER § 2-604 OF THIS ARTICLE.

29 21-101.

30 (a) In this title and Title 25 of this article the following words have the  
31 meanings indicated.

32 (k) "Public bicycle area" means any highway, bicycle path, or other facility or  
33 area maintained by this State, a political subdivision of this State, or any of their  
34 agencies for the use of bicycles.

35 (l) (1) "Bicycle way" means:

36 (i) Any trail, path, part of a highway, surfaced or smooth shoulder,  
37 or sidewalk; or

1 (ii) Any other travelway specifically signed, marked, or otherwise  
2 designated for bicycle travel.

3 (2) "Bicycle way" includes:

4 (i) Bicycle path; and

5 (ii) Bike lane.

6 (1-1) "Bicycle path" means any travelway designed and designated by signing or  
7 signing and marking for bicycle use, located within its own right-of-way or in a  
8 shared right-of-way, and physically separated from motor vehicle traffic by berm,  
9 shoulder, curb, or other similar device.

10 (1-2) "Bike lane" means any portion of a roadway or shoulder designated for  
11 single directional bicycle flow.

12 (t) "Sidewalk" means that part of a highway:

13 (1) That is intended for use by pedestrians; and

14 (2) That is between:

15 (i) The lateral curb lines or, in the absence of curbs, the lateral  
16 boundary lines of a roadway; and

17 (ii) The adjacent property lines.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2000.