

BY: Commerce and Government Matters Committee

AMENDMENTS TO HOUSE BILL NO. 717

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Turner” and substitute “Turner, and Pitkin”; in line 2, strike “Maryland” and substitute “Bicycle and”; in the same line, strike “Fund”; in lines 3, 4, and 7, in each instance, strike “Fund” and substitute “Program”; in line 3, after “of” insert “requiring the Secretary of Transportation to designate a district coordinator in all State highway engineering districts in the State to assist in carrying out certain provisions of law relating to bicycle and pedestrian safety and access to transportation facilities; establishing the duties of a district coordinator; requiring the Director of Bicycle and Pedestrian Access to consult with the district coordinators in carrying out the Director's duties; requiring the Department of Transportation to provide staff, administrative support, and operating expenses for the Bicycle and Pedestrian Advisory Committee; increasing the membership of the Bicycle and Pedestrian Advisory Committee; specifying the terms of the members; authorizing the Committee to adopt certain procedures; providing that members may be reimbursed for certain expenses;”; in the same line, after the semicolon, insert “providing for the funding of the Program;”; in lines 4 and 7, in each instance, strike “from” and substitute “under”; in line 8, after the semicolon insert “establishing an Oversight Committee and Pilot Project on Child Pedestrian Safety; specifying the membership of the Oversight Committee; requiring the Governor to designate a chairman; requiring the Departments of Transportation, Planning, Health and Mental Hygiene, and Education to provide staff and administrative support for the Oversight Committee; requiring the Oversight Committee to initiate a pilot project consisting of the development of an action plan, implementation of the action plan, and evaluation of the benefits achieved through implementation of the action plan; requiring the Oversight Committee to develop an action plan and present the action plan to the Governor and the General Assembly on or before a certain date; requiring the Departments of Transportation, Planning, Health and Mental Hygiene, and Education to implement the action plan; requiring the Oversight Committee to make a certain evaluation; requiring the Oversight Committee to report to the Governor and the General Assembly on or before a certain date;”; and strike beginning with “the” in line 8 down through “Fund” in line 9 and substitute “bicycle and pedestrian safety”.

(Over)

On page 1, in line 12, after “Section” insert “2-603.1 and”; and after line 14, insert:

“BY repealing and reenacting, with amendments,

Article - Transportation

Section 2-604 and 2-606

Annotated Code of Maryland

(1993 Replacement Volume and 2000 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 17, insert:

“2-603.1

(A) THE SECRETARY SHALL DESIGNATE A DISTRICT COORDINATOR FOR EACH STATE HIGHWAY ENGINEERING DISTRICT.

(B) EACH DISTRICT COORDINATOR SHALL:

(1) CONSULT REGULARLY WITH PUBLIC OFFICIALS AND CITIZEN GROUPS IN THE DISTRICT ON MATTERS RELATING TO THE NEEDS OF BICYCLE RIDERS AND PEDESTRIANS AND SHALL COMMUNICATE THE CONCERNS, COMPLAINTS, AND PROPOSALS OF THOSE PUBLIC OFFICIALS AND CITIZENS TO THE DISTRICT ENGINEER AND THE DIRECTOR;

(2) MONITOR THE ACTIONS OF THE DEPARTMENT WITH RESPECT TO COMPLIANCE WITH THIS SUBTITLE AND THE IMPACT OF DEPARTMENTAL ACTIONS ON BICYCLE RIDERS AND PEDESTRIANS IN THE DISTRICT;

(3) ATTEND TRAINING PROGRAMS AS DIRECTED BY THE SECRETARY IN CONSULTATION WITH THE DIRECTOR TO ENHANCE THE COORDINATOR'S KNOWLEDGE OF TRANSPORTATION PLANNING WITH PARTICULAR EMPHASIS ON MATTERS RELATING TO SAFE BICYCLING AND ACCESS OF BICYCLISTS AND PEDESTRIANS TO TRANSPORTATION FACILITIES IN THE STATE; AND

(4) ATTEND AND PARTICIPATE IN MEETINGS OF THE BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE ESTABLISHED UNDER § 2-606 OF THIS

SUBTITLE.

2-604.

(a) The Director shall develop and coordinate policies and plans for the provision, preservation, improvement, and expansion of access to transportation facilities in the State for pedestrians and bicycle riders, including development, before October 1, 2002, of a Statewide 20-Year Bicycle-Pedestrian Master Plan that:

(1) (i) Identifies short-term and long-range goals that are consistent with the purposes of this subtitle; and

(ii) For each identified goal, includes:

1. Reasonable cost estimates for achieving the goal; and

2. For purposes of the annual report required under § 3-216 of this article, objective performance criteria against which progress in achieving the goal can be measured;

(2) Complies with applicable federal funding requirements;

(3) Provides a model to guide political subdivisions of the State in enhancing bicycle and pedestrian access to transportation facilities;

(4) Proposes long-term strategies for improving the State's highways to ensure compliance with the most advanced safety standards for pedestrians and bicycle riders; and

(5) After consultation with political subdivisions in the State AND WITH THE DISTRICT COORDINATORS AND THE DISTRICT ENGINEERS, identifies bicycle-pedestrian priority areas to facilitate the targeting of available funds to those areas of the State most in need.

(b) To carry out the purposes of this subtitle, the Director shall:

(Over)

(1) Participate in the planning of new transportation facilities and improvements to existing transportation facilities;

(2) Advise the Secretary on matters concerning bicycle and pedestrian access and any other matter as requested by the Secretary;

(3) Initiate a program of systematic identification of and planning for projects related to bicycle and pedestrian transportation that qualify for funds under Federal Highway Administration guidelines;

(4) Monitor State transportation plans, proposals, facilities, and services to ensure maximum benefits for pedestrians and bicycle riders in the State; and

(5) Consult regularly with the Bicycle and Pedestrian Advisory Committee established under § 2-606 of this subtitle AND WITH THE DISTRICT COORDINATORS AND THE DISTRICT ENGINEERS.

(c) The exercise of the powers and duties of the Director is subject to the authority of the Secretary.

2-606.

(a) The Governor shall appoint a Bicycle and Pedestrian Advisory Committee to provide guidance to State agencies concerning:

(1) Funding of bicycle and pedestrian related programs;

(2) Public education and awareness of bicycling and pedestrian related activities;

(3) Public education and awareness of bicycling and pedestrian safety; and

(4) Any other issue directly related to bicycling and pedestrians.

(b) The Committee shall consist of the following:

(1) 1 representative each from:

(i) The Department of Transportation;

(ii) The Department of Natural Resources;

(iii) The Department of Education;

(iv) The Department of State Police;

(v) The Department of Business and Economic Development; [and]

(vi) The Department of Health and Mental Hygiene;

(VII) THE DEPARTMENT OF PLANNING; AND

(VIII) THE GOVERNOR'S OFFICE FOR INDIVIDUALS WITH

DISABILITIES;

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

(i) The Eastern Shore;

(ii) Western Maryland; and

(iii) Southern Maryland; [and]

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

(i) The Baltimore metropolitan area; and

(ii) The Washington metropolitan area; AND

(Over)

(4) UP TO 6 CITIZEN MEMBERS SELECTED TO REPRESENT THE INTERESTS OF BICYCLISTS, PEDESTRIANS, AND THE DISABLED COMMUNITY.

(c) One of the citizen members selected under subsection (b) of this section shall have an expertise in bicycle and pedestrian safety.

(D) THE TOTAL MEMBERSHIP OF THE COMMITTEE MAY NOT EXCEED 21 MEMBERS.

~~[(d)]~~ (E) The Governor shall select a chairman from among the citizen members.

(F) (1) THE TERM OF A MEMBER IS 4 YEARS.

(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMITTEE ON OCTOBER 1, 2001.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(G) THE COMMITTEE MAY ADOPT PROCEDURES NECESSARY TO ENSURE THE ORDERLY TRANSACTION OF BUSINESS.

~~[(e)]~~ (H) The Committee shall meet at least quarterly with at least 1 meeting held in Annapolis.

(I) A MEMBER OF THE COMMITTEE MAY NOT RECEIVE COMPENSATION BUT SHALL BE REIMBURSED FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED FOR IN THE STATE BUDGET.

[(f)] (J)The DEPARTMENT SHALL PROVIDE staff, ADMINISTRATIVE SUPPORT, AND OPERATING EXPENSES for the Committee [shall be provided by the Executive Branch as directed by the Governor] AS PROVIDED IN THE STATE BUDGET.”.

AMENDMENT NO. 3

On page 1, in line 19, strike “FUND” and substitute “PROGRAM”.

On page 1 in lines 20 and 21, and on page 2 in lines 6, 8, 11, 14, and 23, strike “FUND” and substitute “PROGRAM”.

On page 2, in lines 8, 11, 14, and 22, strike “FROM” and substitute “UNDER”.

On pages 1 and 2, strike beginning with “(1)” in line 22 on page 1 through “(3)” in line 6 on page 2 and substitute “THE PROGRAM IS FUNDED BY:

(1) THE HIGHWAY SAFETY OPERATING PROGRAM OF THE STATE HIGHWAY ADMINISTRATION; AND

(2)”.

On page 2, in lines 8, 13, and 21, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 18, strike “AND”; and in line 20, after “ACCESS” insert “; AND

(4) TO ENHANCE SAFE PEDESTRIAN ACCESS TO TRANSIT FACILITIES AS DEFINED IN § 3-101 OF THIS ARTICLE”;

AMENDMENT NO. 4

On page 2, after line 23, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the members of the Bicycle and Pedestrian Advisory Committee shall terminate on the effective date of this Act and the Governor shall appoint or reappoint members to terms that initially expire as follows:

(Over)

- (1) approximately one-fourth of the members in 2002;
- (2) approximately one-fourth of the members in 2003;
- (3) approximately one-fourth of the members in 2004; and
- (4) approximately one-fourth of the members in 2005.

SECTION 3. AND BE IT FURTHER ENACTED, That

(a) There is an Oversight Committee on Child Pedestrian Safety.

(b) The Oversight Committee shall consist of the following members:

Senate:

(1) One member of the Senate of Maryland, appointed by the President of the

House:

(2) One member of the House of Delegates, appointed by the Speaker of the

(3) The Secretary of Transportation or the Secretary's designee;

(4) The Secretary of Planning or the Secretary's designee;

(5) The Secretary of Health and Mental Hygiene or the Secretary's designee;

(6) The Secretary of Education or the Secretary's designee; and

(7) Two citizen members selected by the Governor.

(c) (1) The Governor shall designate a chairman of the Oversight Committee.

(2) The Departments of Transportation, Planning, Health and Mental Hygiene, and Education shall provide staff and administrative support for the Oversight Committee.



(d) The Oversight Committee shall designate two counties, or Baltimore City and a county, as target areas and shall initiate a pilot project on child pedestrian safety, focusing on routes to schools in the target areas.

(e) The pilot project shall consist of three sequential phases as follows:

(1) Development of an action plan;

(2) Implementation of the action plan; and

(3) Evaluation of benefits achieved through implementation of the action plan.

(f) (1) The Oversight Committee shall develop an action plan that shall include suggestions for making improvements and initiating programs that are aimed at enhancing the safety and encouraging the use of child pedestrian routes to schools.

(2) In developing the action plan, the Oversight Committee shall:

(i) Consult with county officials, school administrators, police officers, Parent Teacher Association members, and any other persons that the Oversight Committee deems necessary;

(ii) Conduct surveys of relevant areas; and

(iii) Identify safety impediments in child pedestrian routes to schools.

(g) The Oversight Committee shall complete the action plan and submit it to the Governor, and subject to § 2-1246 of the State Government Article, to the General Assembly on or before November 1, 2001.

(h) The Department of Transportation shall:

(Over)

(1) Budget from funds available to the Departments, amounts sufficient to fund implementation of the action plan; and

(2) Fully implement the action plan before July 1, 2002.

(i) Upon full implementation of the action plan, the Oversight Committee shall evaluate the benefits, if any, achieved through implementation of the action plan over a 12-month period.

(j) The Oversight Committee shall issue a final report of its findings and recommendations to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly on or before July 1, 2003.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 3 of this Act establishing an Oversight Committee and Pilot Project on Child Pedestrian Safety shall take effect on June 1, 2001.”;

and in line 24, strike “2.” and substitute “5.”.