
By: **Delegates Pitkin, Bobo, Bronrott, Clagett, Conroy, C. Davis, Dembrow, Dewberry, Finifter, Frush, Heller, Hixson, Leopold, McKee, Marriott, Menes, Moe, Montague, Patterson, Phillips, Ports, Shriver, and Stocksdale**

Introduced and read first time: February 9, 2001
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Bicycle Riders and Pedestrians - Transportation Planning and Safety**

3 FOR the purpose of requiring the Secretary of Transportation to establish
4 bicycle-pedestrian planning districts encompassing all regions of the State to
5 assist in carrying out certain provisions of law relating to bicycle and pedestrian
6 safety and access to transportation facilities; requiring the Secretary to
7 designate a district coordinator for each bicycle-pedestrian planning district;
8 establishing the duties of a district coordinator; requiring the Director of Bicycle
9 and Pedestrian Access to consult with the district coordinators in carrying out
10 the Director's duties, including identifying certain priority funding areas as part
11 of a certain Bicycle-Pedestrian Master Plan; requiring the Department of
12 Transportation to provide staff and administrative support for the Bicycle and
13 Pedestrian Advisory Committee; authorizing the Bicycle and Pedestrian
14 Advisory Committee to increase its membership by majority vote and requiring
15 the Governor to appoint additional members under certain circumstances;
16 requiring the Motor Vehicle Administration to develop a specially designed
17 registration plate to promote safe bicycling in the State; providing for the design
18 of the registration plate; requiring the Administration to solicit certain public
19 comments regarding the design of the registration plate; specifying the vehicles
20 for which the registration plate may be issued; authorizing the Administration
21 to establish fees for the registration plate; authorizing the use of certain fees
22 collected under this Act to support the activities of the Bicycle and Pedestrian
23 Advisory Committee; requiring the Administration to disburse certain fees
24 collected under this Act to certain nonprofit organizations for certain purposes
25 under certain circumstances; providing that certain fees collected under this Act
26 may not be credited to the Gasoline and Motor Vehicle Revenue Account;
27 requiring the Administration to adopt certain regulations; and generally
28 relating to transportation planning concerning pedestrians and bicyclists and
29 the promotion of safe bicycling in the State.

30 BY adding to
31 Article - Transportation

1 Section 2-603.1
2 Annotated Code of Maryland
3 (1993 Replacement Volume and 2000 Supplement)

4 BY repealing and reenacting, with amendments,
5 Article - Transportation
6 Section 2-604 and 2-606
7 Annotated Code of Maryland
8 (1993 Replacement Volume and 2000 Supplement)

9 BY adding to
10 Article - Transportation
11 Section 13-619.3
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2000 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 2-603.1.

18 (A) (1) THE SECRETARY SHALL ESTABLISH BICYCLE-PEDESTRIAN
19 PLANNING DISTRICTS ENCOMPASSING ALL REGIONS OF THE STATE TO ASSIST THE
20 SECRETARY AND THE DIRECTOR IN CARRYING OUT THE PURPOSES OF THIS
21 SUBTITLE.

22 (2) THE SECRETARY SHALL DETERMINE THE TOTAL NUMBER OF
23 BICYCLE-PEDESTRIAN PLANNING DISTRICTS TO BE ESTABLISHED, BUT SHALL
24 ENSURE THAT EACH COUNTY IN THE STATE IS ASSIGNED TO ONE OF THE
25 BICYCLE-PEDESTRIAN PLANNING DISTRICTS.

26 (B) THE SECRETARY SHALL DESIGNATE A DISTRICT COORDINATOR FOR EACH
27 BICYCLE-PEDESTRIAN PLANNING DISTRICT ESTABLISHED UNDER THIS SECTION.

28 (C) EACH DISTRICT COORDINATOR OF A BICYCLE-PEDESTRIAN PLANNING
29 DISTRICT SHALL:

30 (1) CONSULT REGULARLY WITH PUBLIC OFFICIALS AND CITIZEN
31 GROUPS IN THE DISTRICT COORDINATOR'S PLANNING DISTRICT ON MATTERS
32 RELATING TO THE NEEDS OF BICYCLE RIDERS AND PEDESTRIANS AND SHALL
33 COMMUNICATE THE CONCERNS, COMPLAINTS, AND PROPOSALS OF THOSE PUBLIC
34 OFFICIALS AND CITIZENS TO THE SECRETARY AND THE DIRECTOR;

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

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

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

9 2-604.

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

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

16 (ii) For each identified goal, includes:

17 1. Reasonable cost estimates for achieving the goal; and

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

21 (2) Complies with applicable federal funding requirements;

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

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

27 (5) After consultation with political subdivisions in the State AND WITH
28 THE DISTRICT COORDINATORS OF THE BICYCLE-PEDESTRIAN PLANNING DISTRICTS
29 ESTABLISHED UNDER § 2-603.1 OF THIS SUBTITLE, identifies bicycle-pedestrian
30 priority areas to facilitate the targeting of available funds to those areas of the State
31 most in need.

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

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

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

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

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

6 (5) Consult regularly with the Bicycle and Pedestrian Advisory
7 Committee established under § 2-606 of this subtitle AND WITH THE DISTRICT
8 COORDINATORS OF THE BICYCLE-PEDESTRIAN PLANNING DISTRICTS ESTABLISHED
9 UNDER § 2-603.1 OF THIS SUBTITLE.

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

12 2-606.

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

15 (1) Funding of bicycle and pedestrian related programs;

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

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

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

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

22 (1) 1 representative each from:

23 (i) The Department of Transportation;

24 (ii) The Department of Natural Resources;

25 (iii) The Department of Education;

26 (iv) The Department of State Police;

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

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

29 (2) 1 citizen member from each of the following areas:

30 (i) The Eastern Shore;

31 (ii) Western Maryland; and

1 (iii) Southern Maryland; and

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

3 (i) The Baltimore metropolitan area; and

4 (ii) The Washington metropolitan area.

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

7 (D) (1) (I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
8 COMMITTEE, BY MAJORITY VOTE OF ITS ENTIRE MEMBERSHIP, MAY INCREASE THE
9 TOTAL NUMBER OF MEMBERS OF THE COMMITTEE TO ENSURE ADEQUATE
10 REPRESENTATION OF THE INTERESTS OF BICYCLISTS AND PEDESTRIANS IN THE
11 STATE.

12 (II) IF THE COMMITTEE VOTES TO INCREASE THE MEMBERSHIP OF
13 THE COMMITTEE:

14 1. THE COMMITTEE SHALL PROVIDE TO THE GOVERNOR THE
15 NAMES OF INDIVIDUALS RECOMMENDED FOR APPOINTMENT TO THE COMMITTEE;
16 AND

17 2. THE GOVERNOR SHALL APPOINT ADDITIONAL MEMBERS
18 TO THE COMMITTEE FROM AMONG THE INDIVIDUALS RECOMMENDED BY THE
19 COMMITTEE.

20 (2) THE TOTAL MEMBERSHIP OF THE COMMITTEE MAY NOT EXCEED 16
21 MEMBERS.

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

24 [(e)] (F) The Committee shall meet at least quarterly with at least 1 meeting
25 held in Annapolis.

26 [(f)] (G) The DEPARTMENT SHALL PROVIDE staff AND ADMINISTRATIVE
27 SUPPORT for the Committee [shall be provided by the Executive Branch as directed
28 by the Governor].

29 13-619.3.

30 (A) (1) THE ADMINISTRATION SHALL DEVELOP AND MAKE AVAILABLE FOR
31 QUALIFYING VEHICLES A SPECIALLY DESIGNED REGISTRATION PLATE TO PROMOTE
32 SAFE BICYCLING IN THE STATE.

33 (2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE SPECIAL
34 REGISTRATION PLATE ISSUED UNDER THIS SECTION SHALL BE OF A DESIGN
35 DETERMINED BY THE ADMINISTRATION AND SHALL DISPLAY:

- 1 (I) ANY INFORMATION REQUIRED BY THE ADMINISTRATION;
2 (II) THE WORDS "SHARE THE ROAD"; AND
3 (III) ANY PICTURE OR LOGO REPRESENTATIVE OF SAFE BICYCLING
4 THAT IS CONSIDERED APPROPRIATE BY THE ADMINISTRATION.

5 (3) THE ADMINISTRATION SHALL SOLICIT AND CONSIDER COMMENTS
6 FROM BICYCLE RIDERS AND SHALL CONSULT WITH ORGANIZATIONS THAT
7 REPRESENT THE INTERESTS OF BICYCLE RIDERS IN THE STATE WITH RESPECT TO
8 THE DESIGN OF A REGISTRATION PLATE TO BE ISSUED UNDER THIS SECTION TO
9 PROMOTE SAFE BICYCLING IN THE STATE.

10 (B) THE OWNER OF A VEHICLE, OR A LESSEE OF THE VEHICLE UNDER A
11 LEASE NOT INTENDED AS SECURITY, OR A DIRECTOR, OFFICER, EMPLOYEE, OR
12 PARTNER OF A BUSINESS ENTITY THAT OWNS THE VEHICLE CONSIDERED ELIGIBLE
13 BY THE ADMINISTRATION MAY APPLY TO THE ADMINISTRATION FOR AN ORIGINAL
14 OR SUBSTITUTE REGISTRATION PLATE UNDER THIS SECTION IF THE VEHICLE IS
15 INCLUDED IN ONE OF THE FOLLOWING CLASSES:

- 16 (1) A CLASS A (PASSENGER) VEHICLE;
17 (2) A CLASS B (FOR HIRE) VEHICLE;
18 (3) A CLASS E (TRUCK) VEHICLE WITH A MANUFACTURER'S RATED
19 CAPACITY OF 1 TON OR LESS;
20 (4) A CLASS G (TRAILER) VEHICLE; OR
21 (5) A CLASS M (MULTIPURPOSE) VEHICLE.

22 (C) (1) IN ADDITION TO THE ANNUAL REGISTRATION FEE OTHERWISE
23 REQUIRED UNDER THIS TITLE, AN OWNER OF A VEHICLE ASSIGNED A REGISTRATION
24 PLATE UNDER THIS SECTION SHALL PAY:

25 (I) WHEN INITIALLY ISSUED THE REGISTRATION PLATE, A
26 ONE-TIME FEE SET BY THE ADMINISTRATION TO RECOVER THE ADMINISTRATION'S
27 COSTS UNDER THIS SECTION; AND

28 (II) WHEN INITIALLY ISSUED THE REGISTRATION PLATE, AND
29 EACH TIME THE REGISTRATION PLATE IS RENEWED, AN ADDITIONAL FEE SET BY
30 THE ADMINISTRATION AT A LEVEL INTENDED TO ENCOURAGE THE PURCHASE OF
31 THE REGISTRATION PLATE WHILE PROVIDING A CONTINUOUS REVENUE SOURCE
32 FOR BICYCLE RELATED PURPOSES IN ACCORDANCE WITH SUBSECTION (D) OF THIS
33 SECTION.

34 (2) THE ADDITIONAL FEE COLLECTED UNDER PARAGRAPH (1)(II) OF
35 THIS SUBSECTION IS NOT REQUIRED FOR SPECIAL REGISTRATION OF A VEHICLE
36 THAT IS EXEMPT UNDER § 13-903 OF THIS TITLE.

1 (D) (1) FUNDS COLLECTED UNDER SUBSECTION (C)(1)(II) OF THIS SECTION:

2 (I) MAY BE USED AS DIRECTED BY THE SECRETARY TO SUPPORT
3 THE ACTIVITIES OF THE BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE
4 ESTABLISHED UNDER § 2-606 OF THIS ARTICLE; AND

5 (II) IF NOT USED AS PROVIDED IN ITEM (I) OF THIS PARAGRAPH,
6 SHALL BE DISBURSED BY THE ADMINISTRATION TO ONE OR MORE NONPROFIT
7 ORGANIZATIONS CLOSELY ASSOCIATED WITH THE PROMOTION OF SAFE BICYCLING
8 AND THE REPRESENTATION OF THE INTERESTS OF BICYCLE RIDERS IN THE STATE.

9 (2) AN ORGANIZATION RECEIVING FUNDS UNDER PARAGRAPH (1)(II) OF
10 THIS SUBSECTION MAY USE THE FUNDS ONLY FOR BICYCLE RELATED PURPOSES,
11 INCLUDING:

12 (I) EDUCATION AND AWARENESS PROGRAMS RELATING TO
13 BICYCLE SAFETY;

14 (II) PROMOTION OF MOTORIST AWARENESS AND SAFETY WITH
15 RESPECT TO SHARING THE ROAD WITH BICYCLISTS; AND

16 (III) TRAINING PROGRAMS, WORKSHOPS, EDUCATIONAL
17 MATERIALS, PUBLIC OUTREACH EFFORTS, AND MEDIA EVENTS DESIGNED TO
18 PROMOTE SAFE BICYCLE USE IN THE STATE.

19 (E) BEFORE DESIGNATING ANY NONPROFIT ORGANIZATION TO RECEIVE
20 FUNDS AND BEFORE DISTRIBUTING ANY FUNDS TO A NONPROFIT ORGANIZATION
21 UNDER THIS SECTION, THE ADMINISTRATION SHALL ADOPT REGULATIONS
22 SPECIFYING:

23 (1) THE NAME AND NATURE OF THE ORGANIZATION RECEIVING THE
24 FUNDS;

25 (2) THE NATURE OF THE ORGANIZATION'S INVOLVEMENT IN MATTERS
26 RELATED TO THE PROMOTION OF SAFE BICYCLE USE AND THE REPRESENTATION OF
27 THE INTERESTS OF BICYCLE RIDERS IN THE STATE;

28 (3) THE PURPOSES FOR WHICH THE FUNDS MAY BE USED; AND

29 (4) THE ADMINISTRATION'S PLAN FOR DISTRIBUTION OF THE FUNDS.

30 (F) THE FEES COLLECTED UNDER SUBSECTION (C)(1)(II) OF THIS SECTION
31 MAY NOT BE CREDITED TO THE GASOLINE AND MOTOR VEHICLE REVENUE ACCOUNT
32 FOR DISTRIBUTION UNDER § 8-403 OR § 8-404 OF THIS ARTICLE.

33 (G) THE ADMINISTRATION SHALL ADOPT REGULATIONS TO GOVERN THE
34 ISSUANCE OF SPECIAL REGISTRATION PLATES UNDER THIS SECTION.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 October 1, 2001.

