

SENATE BILL 421

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2001 Regular Session
11r1679
CF 11r1459

By: **Senators Lawlah, Bromwell, Currie, Green, Kelley, Middleton, and Ruben**

Introduced and read first time: February 2, 2001
Assigned to: Budget and Taxation

Committee Report: Favorable
Senate action: Adopted
Read second time: March 21, 2001

CHAPTER _____

1 AN ACT concerning

2 **Pedestrians and Bicycle Riders with Disabilities**

3 FOR the purpose of establishing an Advisory Committee on Pedestrians and Bicycle
4 Riders with Disabilities; specifying the purpose and the membership of the
5 Committee; providing for the appointment of a chairman of the Committee;
6 providing for meetings of the Committee; providing for staffing of the
7 Committee; declaring a certain policy of the State regarding pedestrians and
8 bicycle riders with disabilities; requiring the Director of Bicycle and Pedestrian
9 Access to propose certain strategies in the Statewide Bicycle-Pedestrian Master
10 Plan and to consult regularly with the Committee; and generally relating to
11 pedestrians and bicycle riders with disabilities.

12 BY repealing and reenacting, without amendments,
13 Article - Transportation
14 Section 2-601, 2-603, and 2-605
15 Annotated Code of Maryland
16 (1993 Replacement Volume and 2000 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - Transportation
19 Section 2-602 and 2-604
20 Annotated Code of Maryland
21 (1993 Replacement Volume and 2000 Supplement)

22 BY adding to
23 Article - Transportation

1 Section 2-607
2 Annotated Code of Maryland
3 (1993 Replacement Volume and 2000 Supplement)

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

6 **Article - Transportation**

7 2-601.

8 (a) In this subtitle the following words have the meanings indicated.

9 (b) "Director" means the Director of Bicycle and Pedestrian Access.

10 (c) "Transit facility" has the meaning stated in § 3-101(k) of this article.

11 (d) "Transportation facility" has the meaning stated in § 3-101(l) of this
12 article.

13 2-602.

14 The General Assembly finds that it is in the public interest for the State to
15 include enhanced transportation facilities for pedestrians and bicycle riders as an
16 essential component of the State's transportation system, and declares that it is the
17 policy of the State that:

18 (1) Access to and use of transportation facilities by pedestrians and
19 bicycle riders shall be considered and best engineering practices regarding the needs
20 of bicycle riders and pedestrians shall be employed in all phases of transportation
21 planning, including highway design, construction, reconstruction, and repair as well
22 as expansion and improvement of other transportation facilities;

23 (2) The modal administrations in the Department shall ensure that the
24 State maintains an integrated transportation system by working cooperatively to
25 remove barriers, including restrictions on bicycle access to mass transit, that impede
26 the free movement of individuals from one mode of transportation to another; [and]

27 (3) As to any new transportation project or improvement to an existing
28 transportation facility, the Department shall work to ensure that transportation
29 options for pedestrians and bicycle riders will be enhanced and that pedestrian and
30 bicycle access to transportation facilities will not be negatively impacted by the
31 project or improvement[.]; AND

32 (4) THE SPECIAL SAFETY AND ACCESS CONCERNS OF PEDESTRIANS AND
33 BICYCLE RIDERS WITH DISABILITIES SHALL BE CONSIDERED IN THE
34 IMPLEMENTATION OF ALL ASPECTS OF THE POLICY STATED IN THIS SECTION.

1 2-603.

2 (a) There is a Director of Bicycle and Pedestrian Access in the Office of the
3 Secretary.

4 (b) (1) The Director shall be appointed by the Secretary with the approval of
5 the Governor.

6 (2) The Director shall be a person with experience in transportation
7 planning with specialized knowledge in matters relating to bicycle and pedestrian
8 access to transportation facilities.

9 (c) (1) The Director serves at the pleasure of the Secretary and shall report
10 directly to the Secretary.

11 (2) Subject to the authority of the Secretary, the Director is responsible
12 for carrying out:

13 (i) The powers and duties vested by law in the Office; and

14 (ii) Those powers and duties vested in the Secretary and delegated
15 to the Director by the Secretary.

16 (d) The Director is entitled to the salary provided in the State budget.

17 2-604.

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

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

24 (ii) For each identified goal, includes:

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

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

29 (2) Complies with applicable federal funding requirements;

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

32 (4) Proposes long-term strategies for improving the State's highways to
33 ensure compliance with the most advanced safety standards for pedestrians and
34 bicycle riders, INCLUDING SAFETY STANDARDS FOR PEDESTRIANS AND BICYCLE

1 RIDERS WITH DISABILITIES, BY PROVIDING SUCH THINGS AS ACCESSIBLE
2 SIGNALING DEVICES THAT ARE APPROPRIATELY PLACED, REACHABLE BY
3 INDIVIDUALS USING WHEELCHAIRS, AND USABLE BY INDIVIDUALS WHO ARE BLIND;
4 and

5 (5) After consultation with political subdivisions in the State, identifies
6 bicycle-pedestrian priority areas to facilitate the targeting of available funds to those
7 areas of the State most in need.

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

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

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

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

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

18 (5) Consult regularly with:

19 (I) [the] THE Bicycle and Pedestrian Advisory Committee
20 established under § 2-606 of this subtitle; AND

21 (II) THE ADVISORY COMMITTEE ON PEDESTRIANS AND BICYCLE
22 RIDERS WITH DISABILITIES ESTABLISHED UNDER § 2-607 OF THIS SUBTITLE.

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

25 2-605.

26 Subject to the limitations imposed by this subtitle, the Department, in
27 consultation with the Director, may exercise all powers reasonably necessary to
28 achieve the purposes of this subtitle, including the authority to:

29 (1) Adopt regulations to implement the provisions of this subtitle;

30 (2) Apply for and receive grants, gifts, payments, loans, advances,
31 appropriations, property, and services from the federal government, the State, any of
32 their agencies or political subdivisions, or any other public or private person; and

33 (3) Enter into agreements and contract for:

34 (i) Any studies, plans, demonstrations, or projects;

- 1 (ii) Planning, engineering, and technical services; and
2 (iii) Any purpose necessary for or incidental to the performance of
3 its duties and the exercise of its powers under this subtitle.

4 2-607.

5 (A) THE GOVERNOR SHALL APPOINT AN ADVISORY COMMITTEE ON
6 PEDESTRIANS AND BICYCLE RIDERS WITH DISABILITIES TO PROVIDE INFORMATION
7 AND GUIDANCE TO STATE AGENCIES CONCERNING:

8 (1) THE SPECIAL SAFETY AND ACCESS CONCERNS OF PEDESTRIANS AND
9 BICYCLE RIDERS WITH DISABILITIES;

10 (2) THE OPTIONS FOR ADDRESSING THE SAFETY AND ACCESS
11 CONCERNS OF PEDESTRIANS AND BICYCLE RIDERS WITH DISABILITIES;

12 (3) FUNDING OF PROGRAMS RELATING TO PEDESTRIANS AND BICYCLE
13 RIDERS WITH DISABILITIES; AND

14 (4) ANY OTHER ISSUE DIRECTLY RELATED TO PEDESTRIANS AND
15 BICYCLE RIDERS WITH DISABILITIES.

16 (B) THE COMMITTEE SHALL CONSIST OF THE FOLLOWING MEMBERS:

17 (1) ONE REPRESENTATIVE FROM EACH OF THE FOLLOWING:

18 (I) THE DEPARTMENT OF TRANSPORTATION;

19 (II) THE DEPARTMENT OF STATE POLICE;

20 (III) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE; AND

21 (IV) THE AMERICAN COUNCIL OF THE BLIND OF MARYLAND AND
22 THE NATIONAL FEDERATION OF THE BLIND OF MARYLAND;

23 (2) ONE MEMBER REPRESENTING WHEELCHAIR USERS;

24 (3) ONE MEMBER REPRESENTING SENIOR CITIZENS;

25 (4) ONE MEMBER WITH AN EXPERTISE IN THE SAFETY CONCERNS OF
26 THE DISABLED; AND

27 (5) ONE MEMBER WITH AN EXPERTISE IN BICYCLE AND PEDESTRIAN
28 SAFETY.

29 (C) THE GOVERNOR SHALL SELECT A CHAIRMAN FROM AMONG THE
30 MEMBERS.

31 (D) THE COMMITTEE SHALL MEET AT LEAST QUARTERLY.

1 (E) THE STAFF FOR THE COMMITTEE SHALL BE PROVIDED BY THE EXECUTIVE
2 BRANCH AS DIRECTED BY THE GOVERNOR.

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