

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 912
Appropriations

(Delegates Hurson and Madaleno)

Light Rail Projects - State Funds - Restrictions

This bill prohibits the Maryland Department of Transportation (MDOT) from spending any State funds to construct a light rail project that is: (1) partially federal and State funded; (2) to be built within 300 feet of residential property; (3) to be built at a natural grade; and (4) intended to use rights-of-way that could have been used for the federal Rails-to-Trails Act. Nothing in the bill should be construed as preventing MDOT from using State funds to enhance or improve existing light rail projects.

The bill is effective June 1, 2003.

Fiscal Summary

State Effect: None. No construction funds are in the transportation capital program for the projects affected by the bill. However, Transportation Trust Fund expenditures would potentially increase by an estimated \$240 million to realign the Purple Line light rail project. Federal funds are not expected to increase accordingly.

Local Effect: Local expenditures would not be affected as matching funds are not required for construction of the Purple Line. However, the realignment would affect the local jurisdiction in which the project is located.

Small Business Effect: None.

Analysis

Current Law: State law does not prohibit State expenditures for the type of project described by the bill.

The National Trails System Act, which became law in 1968, authorized a national system of trails and defined four categories of national trails. Amendments to the National Trails System Act enacted in 1983 (known as Rails-to-Trails) directed the Interstate Commerce Commission to consider conversion of railroad rights-of-way to interim use as recreational trails, not as an abandonment of that right-of-way, but as the conservation of that right-of-way for future re-use as a railroad line.

Background: The State has studied a possible expansion of the Metrorail subway route to provide alternative connections between Prince George's and Montgomery counties and alleviate congestion on existing subway routes. Approximately \$18.8 million is set aside in the State's six-year capital plan for a three-year study of the creation of a 14-mile light rail transit line between New Carrollton and Bethesda Metro stations that would go through College Park and Silver Spring. Part of this alignment would closely align the Capital Crescent Trail and will likely require acquisition of some private property.

The proposed alignment would create six new stations at Chevy Chase Lake, West Silver Spring, University of Maryland (2), Takoma/Langley Park, and Riverdale. By 2020, annual ridership is expected to reach almost 22 million.

Through 2003, the State will have spent \$9.8 million in State and federal funds on planning, and will spend \$5.5 million in fiscal 2004. Assuming that the line will begin operating in 2012, the total capital cost is expected to be \$1.4 to \$1.7 billion.

State Expenditures: Assuming that the bill affects construction funds only and will not prevent planning, State capital expenditures currently authorized in the Consolidated Transportation Program (CTP) will not be affected.

The Maryland Transit Administration (MTA) advises that the bill would prevent construction of the Bethesda to Silver Spring segment of the Purple Line, which is estimated to cost \$370 million to construct (in fiscal 2003 dollars). A potential alternative route, which would connect to the National Institutes of Health and use Jones Bridge Road in Bethesda, would cost \$610 million in fiscal 2003 dollars, for an increase of \$240 million. This alignment will also require property acquisition. MTA further advises that annual operating and maintenance for the Jones Bridge Road alignment will cost \$7.2 million, versus \$6 million for the Bethesda-Silver Spring alignment.

It is unclear whether the bill would halt construction of light rail projects under consideration in Baltimore and Waldorf. The CTP does not contain funds for either project.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Transportation, House Committee on Transportation and Infrastructure, Department of Legislative Services

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