

UNOFFICIAL COPY OF HOUSE BILL 1402
EMERGENCY BILL

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By: **Delegates Rosenberg, Carter, and Oaks**
Introduced and read first time: February 10, 2006
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Transit Administration - Greater Baltimore Bus Initiative -**
3 **Required Public Hearings**

4 FOR the purpose of requiring the Maryland Transit Administration to hold three
5 public hearings at three different locations, and on three different dates, before
6 the Department of Transportation or the Maryland Transit Administration
7 takes any action in furtherance of certain proposed changes to the Baltimore
8 metropolitan bus service under the Greater Baltimore Bus Initiative; making
9 this Act an emergency measure; and generally relating to public hearings in
10 connection with the Greater Baltimore Bus Initiative.

11 BY repealing and reenacting, with amendments,
12 Article - Transportation
13 Section 7-506
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2005 Supplement)

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

18 **Article - Transportation**

19 7-506.

20 (a) Until a public hearing is held on the matter, the Administration may not:

21 (1) Fix or revise any fare or rate charged the general public; or

22 (2) Establish or abandon any route.

23 (b) (1) The following persons may request the Administration to hold a
24 hearing on any rentals, rates, fares, fees, or other charges of the Administration or
25 any service rendered by the transit facilities owned or controlled by the
26 Administration:

27 (i) Any person served by or using the transit facilities;

1 (ii) The People's Counsel to the Public Service Commission, as a
2 representative of the general public; and

3 (iii) Any private carrier operating in the District.

4 (2) The request for a hearing shall:

5 (i) Be in writing;

6 (ii) State the matter sought to be heard; and

7 (iii) Set forth clearly the grounds for the request.

8 (3) As soon as possible after the Administration receives a request for a
9 hearing, a designated employee of the Administration shall confer on the matter with
10 the person requesting the hearing. After the conference, if the Administration
11 considers the matter meritorious and of general significance, it may call a hearing.

12 (c) (1) The Administration shall give at least 30 days notice before a
13 hearing.

14 (2) The notice shall be:

15 (i) Published once a week for 2 successive weeks in two or more
16 newspapers of daily circulation throughout the District; and

17 (ii) Posted in all of the Administration's offices, stations, and
18 terminals and all of its vehicles and rolling stock in revenue service.

19 (3) The 30-day period begins when the notice first appears in the
20 newspaper.

21 (d) Before calling a hearing under this section, the Administration shall file at
22 its main office and make available for public inspection:

23 (1) Its report on the subject matter of the hearing;

24 (2) Any report received from the Public Service Commission under §
25 7-507 of this subtitle; and

26 (3) If the hearing was requested under subsection (b) of this section, the
27 written request for the hearing and all documents filed in support of it.

28 (e) If the People's Counsel to the Public Service Commission considers the
29 public interest to be involved, the People's Counsel shall appear and represent the
30 public interest at each hearing called by the Administration under this section.

31 (F) (1) NOTWITHSTANDING ANY PRIOR PUBLIC MEETING HELD UNDER THIS
32 SECTION PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION CONCERNING THE
33 GREATER BALTIMORE BUS INITIATIVE, BEFORE THE DEPARTMENT OR THE
34 ADMINISTRATION TAKES ANY ACTION IN FURTHERANCE OF THE SECOND PHASE OF

1 PROPOSED CHANGES TO THE BALTIMORE METROPOLITAN BUS SERVICE UNDER THE
2 GREATER BALTIMORE BUS INITIATIVE, THE ADMINISTRATION SHALL HOLD THREE
3 PUBLIC HEARINGS ON THE PROPOSED ACTION.

4 (2) THE THREE PUBLIC HEARINGS REQUIRED UNDER PARAGRAPH (1) OF
5 THIS SUBSECTION SHALL BE HELD AT THREE DIFFERENT LOCATIONS IN AREAS
6 DIRECTLY AFFECTED BY THE PROPOSED ACTION AND ON THREE DIFFERENT DATES.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
8 measure, is necessary for the immediate preservation of the public health or safety,
9 has been passed by a yea and nay vote supported by three-fifths of all the members
10 elected to each of the two Houses of the General Assembly, and shall take effect from
11 the date it is enacted.