
By: **Senators Jones, Gladden, Hughes, and McFadden**

Introduced and read first time: February 9, 2006

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Transit Administration - Public Hearings**

3 FOR the purpose of requiring the Maryland Transit Administration to hold a certain
4 minimum number of public hearings each year; requiring, except under certain
5 circumstances, the Administration to hold a public hearing before changing a
6 bus or rail route alignment or bus stop location; requiring the Administration to
7 hold a public hearing before changing a bus timetable or establishing or
8 abandoning a rail transit station; limiting the time period during which the
9 Administration may implement a policy change on certain matters; establishing
10 notice requirements that must be met for a public hearing on certain matters
11 before the Administration may implement policy changes on those matters;
12 repealing the authority of certain persons to request a hearing on certain
13 matters; requiring the People's Counsel to the Public Service Commission to
14 appear at certain hearings called by the Administration; making a stylistic
15 change; and generally relating to public hearings held by the Maryland Transit
16 Administration.

17 BY repealing and reenacting, with amendments,
18 Article - Transportation
19 Section 7-506
20 Annotated Code of Maryland
21 (2001 Replacement Volume and 2005 Supplement)

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

24 **Article - Transportation**

25 7-506.

26 (a) THE ADMINISTRATION SHALL HOLD AT LEAST THREE PUBLIC HEARINGS
27 EACH YEAR.

28 (B) (1) Until a public hearing is held on the matter, the Administration may
29 not:

1 [(1)] (I) Fix or revise any fare or rate charged the general public; [or]

2 [(2)] (II) Establish or abandon any BUS OR RAIL route;

3 (III) CHANGE A BUS OR RAIL ROUTE ALIGNMENT OR BUS STOP
4 LOCATION, UNLESS THE CHANGE IS NEEDED BECAUSE OF TEMPORARY
5 CONSTRUCTION OR CHANGES IN THE ROAD NETWORK;

6 (IV) CHANGE A BUS TIMETABLE; OR

7 (V) ESTABLISH OR ABANDON A RAIL TRANSIT STATION.

8 (2) THE ADMINISTRATION MAY ONLY IMPLEMENT A CHANGE OF POLICY
9 ON A MATTER DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION DURING THE TIME
10 PERIOD BETWEEN:

11 (I) 6 WEEKS AFTER THE PUBLIC HEARING; AND

12 (II) 10 WEEKS AFTER THE PUBLIC HEARING.

13 (3) (I) IF THE ADMINISTRATION GIVES INADEQUATE NOTICE OF A
14 PUBLIC HEARING ON A MATTER DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION,
15 THE ADMINISTRATION MAY NOT IMPLEMENT A CHANGE OF POLICY ON THE MATTER
16 UNLESS A LEGALLY SUFFICIENT PUBLIC HEARING IS HELD.

17 (II) FOR THE PURPOSES OF THIS PARAGRAPH, NOTICE SHALL BE
18 CONSIDERED INADEQUATE IF:

19 1. THE ADMINISTRATION DOES NOT COMPLY WITH THE
20 NEWSPAPER PUBLICATION REQUIREMENTS UNDER SUBSECTION (C) OF THIS
21 SECTION; OR

22 2. AT LEAST 30% OF THE ADMINISTRATION'S FACILITIES ARE
23 NOT POSTED AS REQUIRED UNDER SUBSECTION (C) OF THIS SECTION.

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

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

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

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

32 (2) The request for a hearing shall:

33 (i) Be in writing;

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

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

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

7 (c) (1) The Administration shall give at least [30 days] A 30-DAY notice
8 before a hearing.

9 (2) The notice shall be:

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

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

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

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

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

19 (2) Any report received from the Public Service Commission under §
20 7-507 of this subtitle[: and

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

23 (e) [If the] THE People's Counsel to the Public Service Commission [considers
24 the public interest to be involved, the People's Counsel] shall appear and represent
25 the public interest at each hearing called by the Administration under this section.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 July 1, 2006.