

Department of Legislative Services  
 Maryland General Assembly  
 2006 Session

**FISCAL AND POLICY NOTE**

Senate Bill 857  
 Finance

(Senator Jones, *et al.*)

**Maryland Transit Administration - Public Hearings**

This bill requires the Maryland Transit Administration (MTA) to hold at least three public hearings per year and alters other requirements related to holding a public hearing.

The bill takes effect July 1, 2006.

**Fiscal Summary**

**State Effect:** Transportation Trust Fund (TTF) expenditures could increase by \$23,800 in FY 2007 to advertise and hold three public hearings. Future year expenditures include 1% inflation. Potential additional increase in TTF expenditures due to increased operating costs from reduced operational flexibility. Revenues would not be affected.

| (in dollars)   | FY 2007    | FY 2008    | FY 2009    | FY 2010    | FY 2011    |
|----------------|------------|------------|------------|------------|------------|
| Revenues       | \$0        | \$0        | \$0        | \$0        | \$0        |
| SF Expenditure | 23,800     | 24,000     | 24,200     | 24,500     | 24,700     |
| Net Effect     | (\$23,800) | (\$24,000) | (\$24,200) | (\$24,500) | (\$24,700) |

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** None.

**Analysis**

**Bill Summary:** Until a public hearing is held, MTA cannot permanently change a bus or rail route alignment or a bus stop location, change a bus timetable, or establish or abandon a rail transit station. MTA may only perform the above actions, or fix or revise a public fare or rate, or establish or abandon a bus or rail route, between 6 and 10 weeks

after a public hearing. If MTA gives insufficient legal notice of such a hearing, MTA may not implement a change of policy until a legally sufficient public hearing is held. Notice is not legally sufficient if MTA does not publish notice as specified in the newspaper or fails to post notice in at least 30% of MTA facilities and offices.

The bill repeals the ability of specified individuals to call a hearing on certain matters and requires the People's Counsel to the Public Service Commission to represent the public interest at each hearing.

**Current Law:** MTA has authority to plan, develop, construct, acquire, finance, and operate transit facilities. In addition, MTA has jurisdiction over services performed by transit facilities owned or controlled by MTA, including bus service. Until a public hearing is held, MTA cannot establish or abandon any route. Any person served by or using the transit facilities may request a public hearing on any service rendered by the transit facilities owned or controlled by MTA, as can the People's Counsel to the Public Service Commission, and any private carrier operating in the district.

**Background:** MTA has engaged in several controversial projects in the past year, the Greater Baltimore Bus Initiative (GBBI), the attempted closing of four MARC stations, and the proposed Baltimore Red Line study.

The GBBI is the first major overhaul of bus routes in Baltimore in over 30 years. Four new bus routes are being introduced, but 18 are being eliminated, and others are being restructured to take their place. Only 7 routes out of 59 will be entirely unaffected by the GBBI.

The altering of routes has increased the distance that some people have to travel to reach a bus stop. The elimination of some lines and service reductions has made it difficult for individuals who do not own a car to reach jobs and school. Charges have been made that the changes have a disproportionate impact on individuals who are poor and members of ethnic minorities.

MTA held six public hearings on the GBBI. In addition, due to complaints about service since the first phase was initiated, changes have been made that went into effect February 5, 2006.

MTA attempted to close four stations as of March 6, 2006 – the St. Denis, Dickerson, Jessup, and Boyds stations. The Montgomery County Council opposed the closing, and has argued for increased advertising and trains placed on the routes in order to attract more riders. The final decision was made to close the stations shortly after public meetings were held on the matter. MTA reversed its decision to close the stations on February 10, 2006.

The proposed Red Line is a 10.5 mile east-west corridor connecting sections of Baltimore County, Edmondson Village in Baltimore City, West Baltimore, downtown Baltimore, and the Inner Harbor East. MTA established five community working groups for the Red Line Project. All have held scheduled meetings, the last of which was in May 2005. In addition, MTA held five community workshops in November 2005; however, concern has been raised that MTA is not considering all possible alternatives for the Red Line.

**State Expenditures:** TTF expenditures would increase by \$23,750 in fiscal 2007. This estimate is based on the following expenses:

- \$12,500 for advertising all three hearings; and
- additional costs of \$11,250 for all three hearings (\$3,750 per hearing).

Additional costs include, but are not limited to, location rental, sign language and foreign language interpreters, transcription services, and audio-visual rental fees. Future year costs include 1% inflation for expenses. Any additional expenditures for the Public Service Commission could be absorbed within existing resources.

MTA advises the bill could impact its operational flexibility by forcing it to only implement projects during a specific timeframe, and requiring it to seek public approval before many operational changes could be made. This could potentially affect operating costs in the future, though the exact effect cannot be estimated at this time. Legislative Services concurs with this assessment.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Public Service Commission, Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - March 10, 2006  
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