

# SENATE BILL 463

R2

(7lr1902)

## ENROLLED BILL

— Finance / Environmental Matters —

Introduced by **Senator Pugh (By Request) and Senators Della, Dyson, Jones, Kasemeyer, McFadden, Raskin, and Stone**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Transit Administration – Public Hearings**

3 FOR the purpose of requiring, except under certain circumstances, the Maryland  
4 Transit Administration to hold a public hearing before changing a certain bus or  
5 rail route alignment ~~or bus stop location~~; requiring the Administration to hold a  
6 public hearing before establishing or abandoning a rail transit station; limiting  
7 the time period during which the Administration may implement a ~~policy~~  
8 certain change ~~on certain matters~~; establishing notice requirements that must  
9 be met for a public hearing on ~~certain matters~~ a certain change before the  
10 Administration may implement ~~policy changes on these matters~~ the change;

---

**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber / conference committee amendments.*



1 requiring a public hearing to be at a certain location and time; requiring the  
 2 Administration to accept written comments during a certain time period after a  
 3 public hearing; authorizing the Administration to alter a bus route alignment in  
 4 a certain manner without holding a public hearing; requiring the People's  
 5 Counsel to the Public Service Commission to appear at certain hearings called  
 6 by the Administration; making a stylistic change; and generally relating to  
 7 public hearings held by the Maryland Transit Administration.

8 BY repealing and reenacting, with amendments,  
 9 Article – Transportation  
 10 Section 7–506  
 11 Annotated Code of Maryland  
 12 (2001 Replacement Volume and 2006 Supplement)

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

15 **Article – Transportation**

16 7–506.

17 (a) (1) ~~Until~~ **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS**  
 18 **SECTION, UNTIL** a public hearing is held on the matter, the Administration may not:

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

20 [(2)] (II) Establish or abandon any **BUS OR RAIL** route **LISTED ON A**  
 21 **PUBLISHED TIMETABLE;**

22 (III) **CHANGE A BUS OR RAIL ROUTE ALIGNMENT ~~OR BUS~~**  
 23 **STOP LOCATION LISTED ON A PUBLISHED TIMETABLE, UNLESS THE CHANGE IS**  
 24 **NEEDED BECAUSE OF TEMPORARY CONSTRUCTION OR CHANGES IN THE ROAD**  
 25 **NETWORK; OR**

26 (IV) **ESTABLISH OR ABANDON A RAIL TRANSIT STATION.**

27 (2) **THE ADMINISTRATION MAY ONLY IMPLEMENT A CHANGE ~~OF~~**  
 28 **POLICY ON A MATTER** DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION  
 29 **DURING THE TIME PERIOD THAT BEGINS 6 WEEKS AFTER THE PUBLIC HEARING**  
 30 **AND ENDS 6 MONTHS AFTER THE PUBLIC HEARING.**

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

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

8                           1. THE ADMINISTRATION DOES NOT COMPLY WITH  
9 THE NEWSPAPER PUBLICATION REQUIREMENTS UNDER SUBSECTION ~~(C)~~ (D) OF  
10 THIS SECTION; OR

11                           2. AT LEAST 30% OF THE ADMINISTRATION'S  
12 FACILITIES ARE NOT POSTED AS REQUIRED UNDER SUBSECTION ~~(C)~~ (D) OF THIS  
13 SECTION.

14           (4) A PUBLIC HEARING REQUIRED UNDER PARAGRAPH (1) OF  
15 THIS SUBSECTION SHALL BE AT A PLACE AND TIME THAT IS REASONABLY  
16 ACCESSIBLE AND CONVENIENT TO THE PATRONS OF THE SERVICE TO BE  
17 AFFECTED.

18           (5) THE ADMINISTRATION SHALL ACCEPT WRITTEN COMMENTS  
19 FOR 30 DAYS AFTER A HEARING HELD ON A CHANGE DESCRIBED IN PARAGRAPH  
20 (1) OF THIS SUBSECTION.

21           (B) THE ADMINISTRATION MAY ADD SERVICE ON A NEW ALIGNMENT  
22 BRANCHING OFF OF AN EXISTING ROUTE WITHOUT HOLDING A PUBLIC  
23 HEARING, IF THE ADDITION OF THE NEW ALIGNMENT DOES NOT ALTER THE  
24 EXISTING ROUTE.

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

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

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

- 1 (iii) Any private carrier operating in the District.
- 2 (2) The request for a hearing shall:
- 3 (i) Be in writing;
- 4 (ii) State the matter sought to be heard; and
- 5 (iii) Set forth clearly the grounds for the request.
- 6 (3) As soon as possible after the Administration receives a request for  
7 a hearing, a designated employee of the Administration shall confer on the matter  
8 with the person requesting the hearing. After the conference, if the Administration  
9 considers the matter meritorious and of general significance, it may call a hearing.
- 10 ~~(D)~~ (1) The Administration shall give at least [30 days] **A 30-DAY** notice  
11 before a hearing.
- 12 (2) The notice shall be:
- 13 (i) Published once a week for 2 successive weeks in two or more  
14 newspapers of daily circulation throughout the District; and
- 15 (ii) Posted in all of the Administration's offices, stations, and  
16 terminals and all of ~~the~~ **THE** vehicles and rolling stock **USED** in revenue service **BY**  
17 **THE MODE OF TRANSPORTATION THAT WILL BE AFFECTED BY THE PROPOSED**  
18 **ACTION DESCRIBED IN SUBSECTION (A) OF THIS SECTION.**
- 19 (3) The 30-day period begins when the notice first appears in the  
20 newspaper.
- 21 ~~(D)~~ (E) Before calling a hearing under this section, the Administration  
22 shall file at 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 ~~(D)~~ (C) of this  
27 section, the written request for the hearing and all documents filed in support of it.

1           ~~(e)~~ **(F)** [If the] **THE** People's Counsel ~~to the Public Service Commission~~  
2 [considers the public interest to be involved, the People's Counsel] shall appear and  
3 represent the public interest at each hearing called by the Administration under this  
4 section.

5           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 July 1, 2007.

Approved:

---

Governor.

---

President of the Senate.

---

Speaker of the House of Delegates.